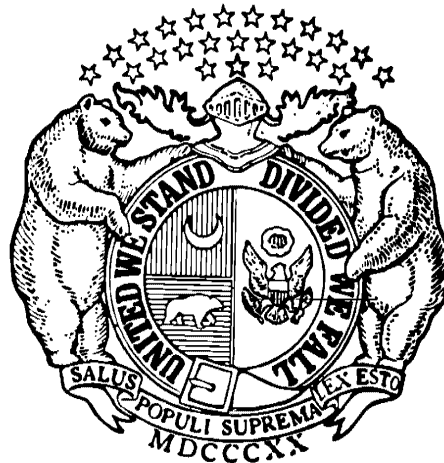


MISSOURI  
HOUSE OF REPRESENTATIVES

ROD JETTON  
SPEAKER

**SUMMARIES OF  
TRULY AGREED TO AND  
FINALLY PASSED BILLS**

**93<sup>rd</sup> GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
2006**



**Prepared by  
HOUSE RESEARCH**

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Jefferson City, Missouri 65101

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## OFFICE OF THE SPEAKER

ROD JETTON  
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STATE CAPITOL  
Jefferson City, Missouri

## MISSOURI HOUSE OF REPRESENTATIVES

*July 2006*

*Dear Fellow Missourians,*

*Missouri legislators recently marked the conclusion of the 2006 regular legislative session of the 93<sup>rd</sup> General Assembly. It was a productive session where your representatives continued the tradition of passing legislation that both benefits Missourians and builds upon Missouri's tradition as a great place in which to live and work.*

*Newly drafted laws will curb the use of eminent domain for solely economic development purposes and will send a message to child sex offenders that their actions are not welcome in our state. Reforms to the medical malpractice industry will stabilize costs for doctors and, in turn, patients. Missouri's thriving economy gave us a modest budget surplus and allowed us to put \$6.1 million toward helping low-income Missourians with utility costs. Finally, a flexible standard for Missouri fuels to consist of 10% ethanol blend by January 1, 2008, will provide jobs for rural Missouri, decrease our dependence on foreign oil, and establish our state as a leader in the renewable fuels industry.*

*This booklet contains summaries of all the bills passed in the 2006 session. It is being distributed by the House of Representatives so that you may be better informed of the work of the General Assembly. All legislation passed and signed by the Governor will take effect August 28, 2006, unless it has a specific effective date or an emergency clause as noted in the summary.*

*If you have questions or would like to obtain additional copies of this booklet, please contact your State Representative or House Research, Room B-38, State Capitol, Jefferson City, Missouri 65101-6806, (573) 751-2979.*

*Sincerely,*

A handwritten signature in black ink, reading "Rod Jetton".

Rod Jetton  
Speaker

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## **ABBREVIATIONS**

<b>HB</b>	<b>—</b>	<b>House Bill</b>
<b>HCS</b>	<b>—</b>	<b>House Committee Substitute</b>
<b>HS</b>	<b>—</b>	<b>House Substitute</b>
<b>SB</b>	<b>—</b>	<b>Senate Bill</b>
<b>SCS</b>	<b>—</b>	<b>Senate Committee Substitute</b>
<b>SS</b>	<b>—</b>	<b>Senate Substitute</b>
<b>CCS</b>	<b>—</b>	<b>Conference Committee Substitute</b>
<b>HJR</b>	<b>—</b>	<b>House Joint Resolution</b>
<b>SJR</b>	<b>—</b>	<b>Senate Joint Resolution</b>

### **EFFECTIVE DATE OF BILLS**

Unless they have a referendum clause, all bills are subject to approval or veto by the Governor. Bills approved by the Governor become effective on August 28, 2006, unless another date is specified in the bill or the bill contains an emergency clause. A bill with an emergency clause becomes effective upon approval of the Governor except where a later date is specified. Joint resolutions are proposed constitutional amendments, subject to a vote of the people.

**TRULY AGREED TO AND FINALLY PASSED**

**HOUSE BILLS**

## APPROPRIATIONS 2006

### FY 2007 OPERATING BUDGET SUMMARY

House <u>Bill</u>		FY 2006 Budget	FY 2007 After Veto
<b>1001</b>	<b><u>Public Debt</u></b>		
	General Revenue	\$ 104,855,732	\$ 91,358,692
	Federal Funds	0	0
	Other Funds	<u>1,002,235</u>	<u>6,287,634</u>
	Total	\$ 105,857,967	\$ 97,646,326
	FTE Total	0.00	0.00
<b>1002</b>	<b><u>Elementary and Secondary Education</u></b>		
	General Revenue	\$ 2,558,361,252	\$ 2,739,824,155
	Federal Funds	948,302,067	939,524,896
	Other Funds	<u>1,336,789,504</u>	<u>1,337,181,733</u>
	Total	\$ 4,843,452,823	\$ 5,016,530,784
	FTE Total	1,893.46	1,842.46
<b>1003</b>	<b><u>Higher Education</u></b>		
	General Revenue	\$ 855,961,813	\$ 879,356,731
	Federal Funds	6,247,638	6,468,111
	Other Funds	<u>183,805,883</u>	<u>182,792,028</u>
	Total	\$ 1,046,015,334	\$ 1,068,616,870
	FTE Total	89.73	75.92
<b>1004</b>	<b><u>Revenue</u></b>		
	General Revenue	\$ 95,788,938	\$ 85,437,324
	Federal Funds	7,644,994	6,404,905
	Other Funds	<u>324,789,987</u>	<u>320,377,203</u>
	Total	\$ 428,223,919	\$ 412,219,432
	FTE Total	1,794.76	1,629.16
<b>1004</b>	<b><u>Transportation</u></b>		
	General Revenue	\$ 11,489,115	\$ 11,859,321
	Federal Funds	57,431,590	53,751,383
	Other Funds	<u>1,656,709,297</u>	<u>2,555,849,644</u>
	Total	\$ 1,725,630,002	\$ 2,621,460,348
	FTE Total	6,990.20	7,005.95
<b>1005</b>	<b><u>Office of Administration</u></b>		
	General Revenue	\$ 146,838,265	\$ 170,700,804
	Federal Funds	16,116,423	76,306,928
	Other Funds	<u>9,157,399</u>	<u>28,871,430</u>
	Total	\$ 172,112,087	\$ 275,879,162
	FTE Total	829.50	1,833.05
<b>1005</b>	<b><u>Employee Benefits</u></b>		
	General Revenue	\$ 475,323,434	\$ 510,411,801
	Federal Funds	147,578,286	160,837,877
	Other Funds	<u>141,568,823</u>	<u>144,728,612</u>
	Total	\$ 764,470,543	\$ 815,978,290
	FTE Total	0.00	0.00
<b>1006</b>	<b><u>Agriculture</u></b>		
	General Revenue	\$ 16,484,499	\$ 22,832,655
	Federal Funds	5,443,995	4,933,906
	Other Funds	<u>15,695,405</u>	<u>14,925,244</u>
	Total	\$ 37,623,899	\$ 42,691,805
	FTE Total	423.05	413.30

## APPROPRIATIONS 2006

### FY 2007 OPERATING BUDGET SUMMARY

House Bill		FY 2006 Budget	FY 2007 After Veto
<b>1006</b>	<b><u>Natural Resources</u></b>		
	General Revenue	\$ 6,641,165	\$ 10,047,582
	Federal Funds	44,618,355	42,796,822
	Other Funds	<u>275,700,354</u>	<u>270,789,147</u>
	Total	\$ 326,959,874	\$ 323,633,551
	FTE Total	1,945.88	1,835.44
<b>1006</b>	<b><u>Conservation</u></b>		
	General Revenue	\$ 0	\$ 0
	Federal Funds	0	0
	Other Funds	<u>137,196,601</u>	<u>141,048,873</u>
	Total	\$ 137,196,601	\$ 141,048,873
	FTE Total	1,871.61	1,871.61
<b>1007</b>	<b><u>Economic Development</u></b>		
	General Revenue	\$ 35,509,307	\$ 43,885,380
	Federal Funds	163,032,156	158,714,38
	Other Funds	<u>73,135,407</u>	<u>79,507,863</u>
	Total	\$ 271,676,870	\$ 282,107,627
	FTE Total	1,432.54	1,321.37
<b>1007</b>	<b><u>Insurance</u></b>		
	General Revenue	\$ 0	\$ 0
	Federal Funds	600,000	600,000
	Other Funds	<u>13,848,508</u>	<u>13,038,692</u>
	Total	\$ 14,448,508	\$ 13,638,692
	FTE Total	217.50	202.50
<b>1007</b>	<b><u>Labor and Industrial Relations</u></b>		
	General Revenue	\$ 2,490,016	\$ 2,462,141
	Federal Funds	60,408,140	55,793,665
	Other Funds	<u>102,476,778</u>	<u>95,166,771</u>
	Total	\$ 165,374,934	\$ 153,422,577
	FTE Total	1,175.41	1,049.91
<b>1008</b>	<b><u>Public Safety</u></b>		
	General Revenue	\$ 64,597,706	\$ 63,966,596
	Federal Funds	73,980,467	81,482,031
	Other Funds	<u>248,704,784</u>	<u>275,041,211</u>
	Total	\$ 387,282,957	\$ 420,489,838
	FTE Total	4,868.36	4,948.76
<b>1009</b>	<b><u>Corrections</u></b>		
	General Revenue	\$ 516,768,254	\$ 586,127,292
	Federal Funds	8,139,981	8,587,041
	Other Funds	<u>42,840,685</u>	<u>43,632,887</u>
	Total	\$ 567,748,920	\$ 638,347,220
	FTE Total	11,312.02	11,270.23
<b>1010</b>	<b><u>Mental Health</u></b>		
	General Revenue	\$ 514,691,270	\$ 554,004,413
	Federal Funds	420,634,421	451,928,567
	Other Funds	<u>35,837,786</u>	<u>39,079,337</u>
	Total	\$ 971,163,477	\$ 1,045,012,317
	FTE Total	9,122.38	8,826.27



## APPROPRIATIONS 2006

### FY 2007 OPERATING BUDGET SUMMARY

House Bill		FY 2006 Budget	FY 2007 After Veto
1010	<b><u>Health</u></b>		
	General Revenue	\$ 214,031,019	\$ 228,301,096
	Federal Funds	564,482,938	567,288,385
	Other Funds	<u>51,777,756</u>	<u>26,767,085</u>
	Total	\$ 830,291,713	\$ 822,356,566
	FTE Total	2,080.45	1,949.61
1011	<b><u>Social Services</u></b>		
	General Revenue	\$ 1,251,364,386	\$ 1,415,767,492
	Federal Funds	3,330,554,576	3,439,130,872
	Other Funds	<u>1,359,204,109</u>	<u>1,322,144,638</u>
	Total	\$ 5,941,123,071	\$ 6,177,043,002
	FTE Total	8,524.11	8,284.58
1012	<b><u>Elected Officials</u></b>		
	General Revenue	\$ 42,922,819	\$ 46,224,199
	Federal Funds	75,071,079	38,181,093
	Other Funds	<u>44,248,716</u>	<u>45,933,279</u>
	Total	\$ 162,242,614	\$ 130,338,571
	FTE Total	948.02	967.02
1012	<b><u>Judiciary</u></b>		
	General Revenue	\$ 140,367,340	\$ 155,267,876
	Federal Funds	12,881,488	9,700,642
	Other Funds	<u>9,212,166</u>	<u>10,279,339</u>
	Total	\$ 162,460,994	\$ 175,247,857
	FTE Total	3,372.05	3,383.55
1012	<b><u>Public Defender</u></b>		
	General Revenue	\$ 28,463,282	\$ 30,337,822
	Federal Funds	125,000	125,000
	Other Funds	<u>1,968,134</u>	<u>1,972,829</u>
	Total	\$ 30,556,416	\$ 32,435,651
	FTE Total	560.13	560.13
1012	<b><u>General Assembly</u></b>		
	General Revenue	\$ 30,968,402	\$ 32,300,398
	Federal Funds	0	0
	Other Funds	<u>192,691</u>	<u>193,567</u>
	Total	\$ 31,161,093	\$ 32,493,965
	FTE Total	718.84	711.84
1013	<b><u>Statewide Leasing</u></b>		
	General Revenue	\$ 24,809,742	\$ 41,228,202
	Federal Funds	13,607,866	20,006,708
	Other Funds	<u>4,997,725</u>	<u>9,065,212</u>
	Total	\$ 43,415,333	\$ 70,300,122
	FTE Total	0.00	0.00
	<b><u>Total Operating Budget</u></b>		
	General Revenue	\$ 7,138,727,756	\$ 7,721,701,972
	Federal Funds	5,956,901,460	6,122,563,216
	Other Funds	<u>6,070,860,733</u>	<u>6,964,674,258</u>
	Total	\$ 19,166,489,949	\$ 20,808,939,446
	FTE Total	60,170.00	59,982.66

## Supplemental and Capital Improvement Appropriations

	FY 2006 HB 1013 Supplemental	FY 2006 HB 1015-Utilicare Supplemental	TAFP FY 2006 Supplemental
<b>Supplemental Bills - HB 1013 and HB 1015</b>			
General Revenue	\$41,228,202	\$6,079,746	\$47,307,948
Federal Funds	\$20,006,708	\$0	\$20,006,708
Other Funds	\$9,065,212	\$0	\$9,065,212
<b>Total</b>	<b>\$70,300,122</b>	<b>\$6,079,746</b>	<b>\$76,379,868</b>
	FY 2006 Year 1 Appropriation	FY 2006 Year 2 Appropriation	TAFP FY 2007
<b>HB 18 (second year of 2 year bill)</b>			
<b><u>Capital Improvements-Maintenance and Repair</u></b>			
General Revenue	\$20,200,000	\$60,886,755	\$0
Federal Funds	\$3,025,002	\$3,025,000	\$0
Other Funds	\$15,116,060	\$10,641,001	\$0
<b>Total</b>	<b>\$38,341,062</b>	<b>\$74,552,756</b>	<b>\$0</b>
<b>HB 19 (second year of 2 year bill)</b>			
<b><u>Capital Improvements-Construction</u></b>			
General Revenue	\$12,455,015	\$1,245,510	\$0
Federal Funds	\$76,209,557	\$36,440,865	\$0
Other Funds	\$28,196,687	\$28,438,487	\$0
<b>Total</b>	<b>\$116,861,259</b>	<b>\$66,124,862</b>	<b>\$0</b>
<b>HB 1021 (new 2006 session)</b>			
<b><u>Capital Improvements-Construction</u></b>			
General Revenue	\$0	\$0	\$11,595,722
Federal Funds	\$0	\$0	\$9,264,000
Other Funds	\$0	\$0	\$10,351,475
Revenue Bond Proceeds	\$0	\$0	\$120,000,000
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$151,211,197</b>

**SCS HCS HB 977 — ELECTION OF MUNICIPAL OFFICERS**

This bill allows fourth class cities with a population of 1,000 or less to elect aldermen at-large instead of dividing the city into wards.

**SCS HCS HB 978 — VIETNAM WAR MEDALLION PROGRAM**

This bill establishes the Vietnam War Medallion Program. Every veteran who honorably served during this war is entitled to receive a Vietnam War medallion, medal, and a certificate of appreciation if the veteran is or was a legal resident of Missouri when he or she entered or was discharged from military service or at the time of his or her death. Any spouse or eldest living survivor of a deceased veteran who is entitled to the medallion may receive it on behalf of the deceased veteran.

The Adjutant General will administer the program. Applications for the medallion can be filed with the Office of the Adjutant General at any time after January 1, 2007. Medallions will be awarded until the supply is exhausted. The Adjutant General must notify the General Assembly when the supply of medallions is less than 100.

The bill creates the Vietnam War Veterans' Recognition Award Fund which will be administered by the Adjutant General. The fund will consist of gifts, donations, and funds transferred to the Veterans Commission Capital Improvement Trust Fund from any remaining balances in the World War II Veterans' Recognition Award Fund and the Korean Conflict Veterans' Recognition Award Fund. The moneys in the fund will be used to solicit designs and to manufacture and distribute the medallion, medal, and certificate.

**HB 983 — DISPLAY OF FLAGS**

This bill requires the United States and the Missouri state flags to be flown at half-staff on all government buildings on September 11 of each year.

**HB 984 — DISPLAY OF THE POW/MIA FLAG**

This bill encourages all government buildings, businesses, and Missouri residents to display the POW/MIA flag on Memorial Day, July 4, September 11, and Veterans Day.

**SS SCS HCS HB 1026 — FUNERAL PROTESTS**

This bill makes it a class B misdemeanor to picket or protest in front of or about any location at which a funeral is held within one hour prior to the commencement and until one hour following the cessation of any funeral. Any subsequent violation will

be a class A misdemeanor. Currently, a person is prohibited from picketing or protesting in front of or about any church, cemetery, or funeral establishment.

The bill contains an emergency clause.

**HCS HB 1053 — ARREST RECORDS**

Currently, when a case is dismissed or nolle prossed or when the accused is found not guilty or imposition of sentence is suspended, access to official court records for persons arrested and charged is limited to law enforcement agencies, child care agencies, residential care facilities, and skilled nursing facilities. This bill authorizes access to official court records to victims of offenses against the family found in Chapters 566 and 568, RSMo. The official records will be released only for use in the victim's own judicial proceeding.

**HCS HB 1138 — POLICE MILITARY LEAVE**

This bill allows members of the Police Retirement System of Kansas City to receive service credit for time spent in military service during a war. Members will not be required to pay member contributions for this service time.

**SCS#2 HCS HB 1149 — REGULATION OF WATER**

This bill changes the laws regarding the regulation of water. In its main provisions, the bill:

(1) Authorizes the Board of Fund Commissioners, in addition to the amounts authorized prior to August 28, 2007, to issue bonds for grants and loans under Article III of the Missouri Constitution. The additional amounts authorized are \$10 million for water pollution control, improvement of drinking water systems, and storm water control; \$10 million for rural water and sewer; and \$20 million for storm water control in first classification counties and St. Louis City;

(2) Increases the maximum amount of fees that can be charged by the Department of Natural Resources in order to comply with the federal Safe Drinking Water Act. The Safe Drinking Water Commission may charge lower fee amounts at its discretion. The authorization to impose fees is extended until September 1, 2012;

(3) Authorizes public water supply districts, sewer districts, and municipalities to install and maintain sewer and water lines in public highways, roads, and streets subject to the reasonable rules of the jurisdictional governing body. The Highways and Transportation Commission retains ultimate authority to monitor construction in the right-of-way of any state highway;

(4) Authorizes the Clean Water Commission of the State of Missouri to provide listings required by Section 303(d) of the federal Clean Water Act to the federal Environmental Protection Agency. Procedures are

specified in the bill and include public notice and judicial review requirements;

(5) Allows the department director or the commission to require a bond for the construction of innovative wastewater treatment facilities that have not been approved by any federal agency or another state's environmental regulatory agency;

(6) Extends the authorization for certain permit fees under Sections 644.052 and 644.053, RSMo, until December 31, 2009;

(7) Revises the definition of "point source" in Section 644.016 to exclude agricultural storm water discharges and flows from irrigated agriculture; and

(8) Exempts the new St. Louis baseball stadium from the equal number of men and women's restroom requirement until one year after its completion.

#### **HCS HB 1180 — SCHOOL TRANSPORTATION**

This bill allows school districts that can demonstrate certain unsafe traffic conditions to provide transportation to students who live less than one mile from school without incurring an administrative penalty from the State Board of Education.

#### **HCS HB 1182 — JURISDICTION OF JUVENILE COURTS**

This bill allows a parent, legal guardian, or other person having legal custody of a child who is at least 15 years of age to petition a court to extend the jurisdiction of a juvenile court until the child is 18 years old. These provisions will not apply to a child who has received a high school diploma or its equivalent.

Law enforcement officers, juvenile officers, school personnel, or court personnel will not be held civilly or criminally liable if their action or failure to act was based on a good faith belief that a child was not under the jurisdiction of a juvenile court.

#### **HB 1204 — DUTIES OF JAILERS**

This bill authorizes jailers to serve arrest warrants on individuals who are already inmates in the custody of the facility in which the jailer is employed.

#### **HB 1222 — SPECIAL DEPUTY CORONERS**

This bill allows a coroner or medical examiner to appoint a special deputy coroner or special deputy medical examiner in the event of any natural disaster, mass casualty, or other emergency situation. All appointees will be directly supervised by the coroner or medical examiner, will not serve more than 30 days, and will not receive compensation for services rendered. However, any necessary expenses incurred in the performance of official duties will be reimbursed.

The coroner or medical examiner making the special appointment must file a record of the appointee's full name, address, date of birth, date of appointment, and date of termination with the county clerk.

#### **HB 1234 — NURSING STUDENT LOAN REPAYMENT PROGRAM**

This bill changes the laws regarding the Nursing Student Loan Repayment Program. "Eligible student" is defined as a person who has been accepted as a full-time nursing student, rather than a person who has applied for admission. Currently, 25% of the loan is forgiven for each year of employment. The bill revises the repayment provision to allow forgiveness through employment without a specific schedule.

#### **HB 1245 — SCHOOL NURSES**

This bill allows each school board to authorize a school nurse to keep on hand and administer prefilled syringes of epinephrine in two dosage strengths. The nurse may administer the medication when, based on training, he or she believes a student is having an acute anaphylactic episode. The prescription must be written by a licensed physician listing the school district as the patient, include the nurse's name, and be filled at a licensed pharmacy.

#### **HCS HB 1256 — STATE OBSERVANCE**

This bill establishes February 4 each year as "Rosa Parks Day" and makes it a state observance.

#### **CCS SCS HCS HB 1270 & 1027 — MISSOURI RENEWABLE FUEL STANDARD ACT**

This bill establishes the Missouri Renewable Fuel Standard Act which requires, by January 1, 2008, that all gasoline sold in Missouri contain at least 10% agriculturally derived, denatured ethanol by volume unless exempted by the federal Environmental Protection Agency, by a rule promulgated by the Director of the Department of Agriculture, or by an executive order issued by the Governor. Any regional waiver will be implemented so as not to give any region a competitive advantage or disadvantage. The provisions of the bill do not apply to premium gasoline, E75-E85 fuel ethanol, bulk transfers between terminals, or gasoline sold for use in aircraft.

If a distributor is unable to purchase fuel ethanol or fuel ethanol-blended gasoline at the terminal from a position holder or supplier at the same or a lower price as unblended gasoline, the purchase of unblended gasoline by the distributor and the sale of the gasoline at retail will not be a violation of the gasoline-content requirement.

All fuel terminals in the state except those that only offer federal reformulated gasoline for sale must offer fuel ethanol, fuel ethanol-blended gasoline, and unblended gasoline.

Fuel retailers, wholesalers, distributors, and marketers are allowed to purchase fuel ethanol from any terminal, position holder, fuel ethanol producer, fuel ethanol wholesaler, or supplier. If a court of competent jurisdiction determines that this provision does not apply to or improperly impairs existing contractual relationships, it will apply only to future relationships.

A “Missouri qualified biodiesel producer” is defined as a facility that is at least 51% owned by Missouri resident agricultural producers who are actively engaged in agricultural production for commercial purposes or a facility that uses at least 80% Missouri feedstock in the production of biodiesel. The feedstock requirement may be waived by the Director of the Department of Agriculture on a month-to-month basis if the facility provides verification that an adequate supply of Missouri feedstock is not available.

The Missouri Qualified Biodiesel Incentive Fund will expire December 31, 2009. Producers receiving incentive grants prior to the expiration date will be eligible to receive all remaining incentive grants as specified in the bill.

### **HCS HB 1339 — REAL ESTATE BROKERS**

This bill changes the laws regarding real estate brokers. In its main provisions, the bill:

- (1) Defines “advertising”;
- (2) Exempts Internet advertising communications from licensing requirements when the advertising of real estate is incidental to its operation;
- (3) Requires an applicant for a real estate broker’s license to work as a real estate salesperson for at least two years instead of the current one-year requirement prior to making application for a license; and
- (4) Requires any notice of appeal for the revocation of a license to be sent to the Administrative Hearing Commission by certified mail.

### **HCS HB 1343 — CIRCUIT COURT FACILITIES IN LEWIS COUNTY**

This bill repeals the requirement that the City of Canton provide the resources and space for a circuit court in Lewis County. The procedural responsibilities of the circuit court are also repealed.

The bill becomes effective December 31, 2006.

### **HCS HB 1344 — FIREMEN’S RETIREMENT SYSTEM OF ST. LOUIS**

This bill expands the investment options of the Firemen’s Retirement System of St. Louis by allowing the board of trustees to invest in property of any kind, real or personal.

The bill contains an emergency clause.

### **SCS HCS HB 1380 — MISSOURI PUBLIC-PRIVATE PARTNERSHIPS TRANSPORTATION ACT**

This bill establishes the Missouri Public-Private Partnerships Transportation Act and authorizes the Highways and Transportation Commission to form a public-private partnership to use private sector innovation and investments to build a new Mississippi River bridge in St. Louis.

Potential private partners may submit to the commission an unsolicited request for approval of a project to finance, develop, and/or operate the bridge.

The commission must establish a process to accept and review requests and may approve the project if it determines the bridge will improve the state highway system and is a needed addition. To promote and support the objectives of the United States foreign policy regarding terrorism, the commission must establish, prior to the receipt and review of any request for the approval or response to a request for proposal, a policy that prohibits a private partner from entering into an interim or comprehensive agreement with the commission to finance, develop, and/or operate the project if the private partner, its subsidiaries, or affiliated entities are known to sponsor terrorism or aid the government of countries that are known to sponsor terrorism. The commission is not required to select the proposal which has the lowest price but may consider price, design, financing plan, and other factors like the qualifications, industry experience, and financial capacity of the potential private partner to determine the best value for the state.

The commission may execute an interim agreement with a tentatively approved private partner to begin specific compensable activities to further the development of the project. The commission, as a condition for final approval, must execute a comprehensive agreement with the private partner. The agreement requirements are specified in the bill. The commission may terminate negotiations with a potential private partner during the interim or comprehensive agreement phase as well as reject any and all requests for approval.

Any information submitted to the commission by potential private partners in requests for approval or responses to a request is a closed record under the state’s Sunshine Law. After a comprehensive agreement

is executed by a private partner and the commission, the agreement and other materials submitted to the commission by the private partner will be open records.

Private partners will have the power:

- (1) To contract with any public or private entity;
- (2) To lease or operate the project for any term as provided in the comprehensive agreement;
- (3) To collect and enforce user fees; and
- (4) To issue corporate bonds, private activity bonds, refunding bonds, notes, and other obligations.

A private partner will be required to provide:

- (1) Securities and warranties satisfactory to the commission;
- (2) Audited financial statements in a form acceptable to the commission;
- (3) Evidence of sufficient commercial general liability insurance and workers' compensation insurance;
- (4) Performance and payment bonds acceptable to the commission; and
- (5) A detailed disadvantaged business enterprise participation plan that conforms to commission reporting requirements for the federal Disadvantaged Business Enterprise Program pursuant to federal law and regulations on federal-aid highway projects.

The commission may:

- (1) Delegate necessary powers of the commission to carry out the provisions of the bill;
- (2) Promulgate rules;
- (3) Make all final decisions concerning the performance and the acceptance of the work;
- (4) Impose a user fee;
- (5) Take any action to obtain federal, state, or local government or private sector assistance for a project and enter into contracts required for the assistance;
- (6) Lease the project and any interest it has in real property to the private partner; and
- (7) Exercise the powers of condemnation to acquire any real property required for the project.

The bill also establishes tort liability caps for the private partner and its employees and agents in amounts identical to those established in the sovereign immunity statutes and requires the commission to make an annual report to the Joint Committee on Transportation Oversight regarding the public-private partnership's method of financing, developing, and/or operating the project.

#### **SCS HCS HB 1382 & 1158 — SPECIAL LICENSE PLATES**

This bill removes the one-set limit on certain special military license plates and future plates which may be authorized as long as each set of plates is issued for vehicles owned solely or jointly by the qualified applicant.

The bill allows for a special license plate for members of the Disabled American Veterans and a special license plate designated "SOME GAVE ALL" for parents or siblings who have had an immediate family member die in the line of duty while serving in the United States armed forces.

To obtain the Disabled American Veterans plate, individuals must present to the Department of Revenue a current photo identification, a valid Disabled American Veterans membership card, and payment of a \$15 fee in addition to the registration fee and any other documents required by law. No additional fee will be charged for the personalization of the plate.

To obtain the "SOME GAVE ALL" plate, a \$25 contribution to the Veterans of Foreign Wars, Department of Missouri is required in addition to other registration fees.

#### **HB 1393 — STATE HIGHWAY PATROL**

This bill allows the Superintendent of the State Highway Patrol to establish guidelines under which members of the patrol may accept other secondary employment.

#### **HB 1427 — WAIVERS FOR DISSOLVED CORPORATIONS DUE TO MILITARY SERVICE**

This bill allows the Secretary of State to waive reinstatement fees and procedures in the event a corporation was administratively dissolved for failure to file an annual registration report when the failure was due to the business owner's active military service. The Secretary of State will waive all late fees, cancel the certificate of dissolution, and reinstate the corporation in these circumstances. Annual registration report fees may still be due for the years in which no report was filed.

#### **SCS HB 1437 — POISON AND RADIATION CONTROL**

This bill dissolves the Advisory Committee on Poison Control and transfers its powers and certain duties to the Department of Health and Senior Services. The department in conjunction with local health agencies and health care providers will determine the region to be served by the Missouri Regional Poison Information Center, and the requirement that an annual report be submitted to the presiding officers of the General Assembly and the department is removed.

The Committee on Radiation Control, a subcommittee of the Missouri Atomic Energy Commission is also dissolved.

**SCS HCS HB 1440 — INCOME TAX**

This bill authorizes a checkoff on the Missouri individual and corporate income tax forms for donations for cervical cancer awareness and treatment. Moneys collected will be used by the Department of Health and Senior Services to provide information on cervical cancer, early detection, testing and prevention; to collect statistical information on cervical cancer; and to provide services and funding for early detection, testing, and prevention.

The bill also changes the way individual net operating losses are calculated and removes the restriction for specific depreciation deductions.

**SCS HCS HB 1449 — BACKGROUND CHECKS FOR TEACHERS**

This bill specifies that the state will not require another background check if a teacher retires from a Missouri school and returns to the classroom within a year as a substitute or part-time teacher. School districts will not be prohibited from requiring additional background checks.

**SS#2 SCS HCS HB 1456 — EMPLOYMENT SECURITY**

This bill changes the laws regarding unemployment compensation. In its main provisions, the bill:

(1) Allows the owner and operator of a motor vehicle which is leased or contracted with a driver to a for-hire common or contract motor vehicle carrier to operate under a certificate issued by the Department of Transportation;

(2) Specifies that for any calendar year after 2008, the state taxable wage base will be determined by the average balance of the four preceding quarters less principle, interest, and certain administrative expenses. The maximum taxable wage base will be increased from \$12,000 to \$12,500 in calendar year 2008;

(3) Specifies that the maximum weekly benefit amount for initial unemployment compensation claims filed during calendar years 2006 and 2007 will be 4% of the wages paid to the worker during the highest quarter of the worker's base period;

(4) Specifies that the maximum weekly benefit amount for initial unemployment compensation claims filed during or after calendar year 2008 will be 4% of the average quarterly wages paid to the worker during the two highest quarters of the worker's base period;

(5) Specifies that the maximum weekly benefit amount for initial claims filed during calendar year 2006 will not exceed \$270; not exceed \$280 in calendar year 2007; and not exceed \$320 in calendar year 2008;

(6) Requires the directors of the Division of Employment Security within the Department of Labor and Industrial Relations and the Division of Workforce

Development within the Department of Economic Development to submit to the Governor, Speaker of the House of Representatives, and President Pro Tem of the Senate by October 15, 2006, a report on recommendations for improving work search verification and claimant re-employment activities. The recommendations will include how to best utilize the greathires.org web site and reduce the average duration of unemployment compensation claims. For each succeeding year, the report will be due by December 1;

(7) Specifies that the test for alcohol or controlled substances be included as evidence in the administrative record if the test was conducted by a laboratory certified by the United States Department of Health and Human Services or another certification organization whose minimum standards meet the same standards;

(8) Expands the ways by which an employer may notify employees that a positive test for alcohol or controlled substances may result in the suspension or termination of employment;

(9) Specifies that an employer may require a pre-employment test for alcohol or controlled substances as a condition of employment and the results of the test and any future tests will be admissible if the employer's policy clearly states that an employee may be subject to random, pre-employment, reasonable suspicion, or post-accident testing;

(10) Specifies that all methods of testing, criteria for testing, chain of custody for samples or specimens, and due process for employee notification procedures do not apply to a claimant subject to the provisions of any collective bargaining agreement if the minimum standards of the conducting laboratory meet or exceed the minimum standards of the United States Department of Health and Human Services;

(11) Requires that a confirmation test include a split specimen test to determine employee misconduct;

(12) Specifies that when applying the provisions of the laws regarding employment security, it is the intent of the General Assembly to reject and abrogate previous case law interpretations of "misconduct connected with work" requiring a finding of evidence of impaired work performance;

(13) Specifies that an order to apply for or accept available suitable work may be issued by a deputy of the Division of Employment Security or the designated staff of an employment office;

(14) Requires a claimant who is disqualified from receiving unemployment benefits on a second or subsequent occasion within the base period or within a subsequent base period to earn wages at least six times the claimant's weekly benefit amount for each disqualification;

(15) Specifies that absenteeism or tardiness alone may constitute a rebuttable presumption of misconduct if the discharge was the result of the employer's

attendance policy and the employee was aware of the policy prior to being absent or tardy upon which the discharge was based;

(16) Requires the division to cross-check unemployment compensation applicants and recipients with the federal Social Security Administration's data at least weekly;

(17) Specifies that an employer may be assessed an amount solely for the repayment of interest due on federal advances to the Unemployment Compensation Trust Fund;

(18) Assesses an employer a credit instrument and financing agreement repayment surcharge calculated as a percentage of the total statewide contributions collected during the previous calendar year;

(19) Specifies that each employer's proportionate share will be the calculated percentage of the total statewide contributions collected during the previous calendar year multiplied by the employer's contribution due for each filing period during the preceding calendar year;

(20) Allows the division to use the services of collection agencies to collect any debts;

(21) Allows any party to a case the right to enter a motion to reconsider a determination by the appeals tribunal;

(22) Increases the maximum maturity time period of a credit instrument or a financial agreement offered by the Board of Fund Financing from three years to 10 years after issuance;

(23) Requires the division to recover overpayments of benefits through billings, setoffs against state and federal income tax refunds, and intercepts of lottery winnings; and

(24) Specifies that shared-work benefits may not be denied in any week containing a holiday for which the holiday earnings are paid by the employer unless the shared-work benefits are for the same hours in the same day as the holiday earnings.

The bill also adds provisions regarding the war on terror veteran employment rights and benefits. In its main provisions, the bill:

(1) Defines a "war on terror veteran" as a member of the National Guard or a United States armed forces reserve unit who was deployed after September 11, 2001; employed either full or part time prior to deployment; and was unemployed either during deployment or within 30 days after the completion of his or her deployment;

(2) Specifies that a war on terror veteran is entitled to a maximum weekly benefit equal to 8% of the wages earned during the highest earnings quarter of the five quarters prior to the veteran's deployment. The maximum weekly benefit amount may not exceed \$1,153.64 adjusted annually by the federal Consumer

Price Index. A veteran may receive benefits for a maximum of 26 weeks;

(3) Requires an employer who is found by a court to have terminated, demoted, or taken an adverse employment action against a war on terror veteran due to the veteran's absence while deployed to be subject to an administrative penalty of \$25,000; however, the Director of the Division of Employment Security is required to review judgments in suits brought under the federal Uniform Service Employment and Reemployment Rights Act, 38 U.S.C. 4301, and may recognize a judgment as the employer's penalty and waive the \$25,000 administrative penalty;

(4) Specifies that a veteran will not be considered to have voluntarily quit if he or she is not offered the same wages, benefits, and similar work schedule upon his or her return to work;

(5) Creates the War on Terror Unemployment Compensation Fund which will consist of administrative penalties paid by employers found in violation of these provisions; and

(6) Specifies that moneys in the fund will be used solely for the administration of the provisions regarding the war on terror veteran unemployment compensation.

The bill becomes effective October 1, 2006.

### **SCS HCS HB 1485 — TAX CREDIT FOR PREGNANCY RESOURCE CENTERS AND CHILDREN IN CRISIS**

This bill authorizes an income tax credit for contributions to centers providing certain social services.

#### **PREGNANCY RESOURCE CENTERS**

The bill authorizes an income tax credit for 50% of contributions made to qualified pregnancy resource centers. Pregnancy resource centers are nonresidential facilities that provide assistance and support to women with crisis or unplanned pregnancies and do not provide abortions or referrals for abortion services.

The tax credit may be taken against income tax, corporate franchise tax, insurance premium tax, financial institutions tax, and express company tax liability. The tax credit is not refundable, but can be carried forward and claimed for up to four taxable years.

The maximum credit a taxpayer can claim is \$50,000 per year, and the minimum contribution must be at least \$100. The statewide maximum of tax credits that can be taken in any one year is \$2 million. The Department of Social Services is to designate the centers and apportion the credits when the applications exceed the statewide cap.

#### **CHILDREN IN CRISIS**

The bill authorizes an income tax credit for up to 50% of contributions made to a child advocacy center, a crisis care center, or an entity which receives funding



from the Court Appointed Special Advocate Fund. To receive the credit, donations must be at least \$100, and the qualified agency receiving the contribution will issue a contribution verification to the taxpayer to be attached to his or her income tax return.

In order to become a qualified agency, each year prior to December 31, an agency must apply to the Department of Social Services to verify its status. By February 1 of each year, the department will provide a list of qualified agencies to the Department of Revenue.

The children in crisis tax credit has a cumulative cap equal to the unclaimed portion of the resident adoption tax credit. The amount available will be equally divided among the agencies, and any unused portion not used by an agency will be available to the remaining agencies. After all the children in crisis tax credits have been claimed, any remaining unclaimed portion of the reserved allocation will be made available for nonresident special needs adoption tax credits claims. The bill allocates \$2 million of the tax credits for the adoption of special needs children who are residents of this state. The cumulative amount of tax credits that may be claimed for nonrecurring adoption expenses will not be less than \$4 million but may be increased by appropriation.

The bill removes the requirement that the Director of the Department of Revenue submit an annual report to the General Assembly on the income levels of taxpayers claiming the tax credit.

Applications for the adoption credit for special needs children must be filed between July 1 and April 15 of each fiscal year. The credit is not refundable, but can be carried forward and claimed for up to five consecutive years.

The provisions of the bill will expire six years from the effective date.

#### **HB 1488 — MEMORIAL HIGHWAY**

This bill designates the portion of Interstate 55 in St. Louis County between Butler Hill Road and Meramec Bottom Road as the "Officer Thomas G. Smith Jr. Memorial Highway."

#### **HB 1491 — MEDICAL ASSISTANCE**

This bill requires the Family Support Division within the Department of Social Services to determine whether an individual who is applying for Missouri Medicaid Program benefits is eligible for federal medical services from the Missouri Veterans Commission. If an applicant or recipient is eligible for the federal medical services, the division must urge the person to utilize these benefits. The division will consult with the commission regarding a method that can be used to determine whether an individual who receives state medical

assistance is eligible for the federal benefits. The bill does not require an individual to exhaust any federal veterans' benefits prior to receiving state medical assistance.

#### **HB 1494 — LICENSING OF ENGINEERS AND LAND SURVEYORS**

This bill authorizes the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects to issue land surveying and engineering licenses to persons meeting certain criteria specified in the bill.

#### **SCS HB 1509 — DIVISION OF FIRE SAFETY**

This bill expands the duties of the State Fire Marshal in the Division of Fire Safety within the Department of Public Safety to include the voluntary training of inspectors and public or private employees or volunteers in the field of emergency response, rescue, and fire prevention or preparedness. The fire marshal is required to establish and maintain a voluntary training and certification program based upon nationally recognized standards and is authorized to promulgate rules and regulations in order to administer the provisions of the bill.

#### **HCS HB 1511 — EARLY CHILDHOOD EDUCATION**

This bill requires the Department of Elementary and Secondary Education to develop, by June 30, 2007, standards for early childhood education which will be applicable to public preschool programs that receive federal Title I funds or Missouri preschool project funds. The standards must include, among other items, an assessment of needs; a focus on cognitive, language, physical, and social/emotional development; and highly qualified, properly certified teachers. In developing the standards, the department must involve representatives of many groups, including the business community, existing early childhood programs, school districts, and private and faith-based providers. Districts that offer fee-based programs may continue to offer them, in compliance with federal law.

### **HCS HB 1515 — COLLABORATIVE PRACTICE REPORTING**

This bill requires physicians to report within 30 days to the State Board of Registration for the Healing Arts when entering into any collaborative practice or physician assistant agreement. Physicians are also required to provide the board with all their collaborative practice agreements when renewing their license. This information will be available to the public.

The board is authorized to conduct random reviews of these agreements to determine whether licensees are in compliance with the provisions of the bill.

### **HCS HB 1552 — HOMELESS VETERANS**

This bill allows a homeless veteran to use the post office box or voice mail address of certain charitable or religious organizations on applications for federal or state assistance if the organization is willing to provide an address to the homeless veteran for his or her use. Only organizations that have been providing legitimate services for 10 or more years are eligible to provide these services.

### **HCS HB 1559 — DONATION OF CANNED OR PERISHABLE FOOD**

This bill adds grocery and convenience stores to the list of donors that in good faith can donate any canned or perishable food to a bonafide charity or nonprofit organization for free distribution without being subject to a criminal penalty or civil damages arising from the condition of the food, unless an injury is caused by the gross negligence, recklessness, or intentional misconduct of the donor.

### **SCS HB 1601 — EMERGENCY MEDICAL TREATMENT**

This bill specifies that informed consent is not required for research programs or experimental medical procedures for certain patients subject to a life-threatening emergency when conducted in accordance with certain federal regulations and when the institutional review board has approved the research activity.

The bill contains an emergency clause.

### **HCS HB 1617 & 1374 — RECREATIONAL USE OF LAND**

This bill changes the restrictions regarding the liability of a landowner who invites or allows individuals to use his or her land for recreational purposes to include state-administered recreational access programs.

### **HB 1687 — DONATION OF PRESCRIPTION DRUGS**

This bill allows drugs donated to the Prescription Drug Repository Program that are not used or accepted by any pharmacy, hospital, or nonprofit clinic in this state to be distributed to out-of-state charitable repositories.

### **HB 1688 — ECONOMIC ACTIVITY TAX REVENUES**

This bill excludes any sales tax imposed by Jackson County for the purpose of sports stadium improvement from the additional 50% economic activity tax revenue allocation for tax increment financing projects.

### **CCS SS SCS HCS HB 1698, 1236, 995, 1362 & 1290 — SEXUAL OFFENDERS**

This bill changes the laws regarding sexual offenders. In its main provisions, the bill:

(1) Requires the State Highway Patrol to operate a toll-free telephone number to disseminate information regarding individuals registered as sexual offenders;

(2) Requires sexual offenders to provide law enforcement officials the date of their birth; their physical description and that of their vehicles; nature and dates of the offenses requiring the offender to register; and the date on which the offender was released from the Department of Health and Senior Services, prison, or jail or placed on parole, supervised release, or probation;

(3) Requires a licensed health care professional who delivers a baby or performs an abortion to report prima facie evidence of statutory rape or evidence that a patient was the victim of sexual abuse;

(4) Establishes procedures for search warrants and subpoenas issued for records that are in the actual or constructive possession of a foreign corporation which provides electronic communication services, when those records would reveal the identity of the customers using the service;

(5) Allows the Board of Probation and Parole to access information on the home computer of a registered sexual offender;

(6) Expands the scope of defendants to whom bail is unavailable to include defendants who have pled guilty to or been found guilty of any sexual offense under Chapters 566, 568, or 573, RSMo, if the victim was younger than 17 years of age when the crime was committed. Currently, bail is not available to defendants under a sentence of death or imprisonment for life;

(7) Adds child kidnapping to the list of dangerous felony offenses;

(8) Increases the term of imprisonment for a persistent sexual offender from not less than 30 years to the duration of his or her natural life;

(9) Specifies that consent is not an affirmative defense to any offense in Chapter 566 if the alleged victim is younger than 12 years of age;

(10) Increases the penalty from a minimum of five years imprisonment to a minimum of 30 years for the crimes of forcible rape and forcible sodomy if the victim is younger than 12 years of age. No person found guilty of or pleading guilty to forcible rape, attempted forcible rape, forcible sodomy, or attempted forcible sodomy will be granted a suspended imposition of sentence or suspended execution of sentence;

(11) Creates the crimes of attempting to commit statutory rape and attempting to commit statutory sodomy;

(12) Requires that a person who commits child molestation in the first degree will be ineligible for probation or parole when the victim is younger than 12 years of age and the person has previously been convicted of a sexual offense, inflicts a serious injury, or displays a deadly weapon;

(13) Expands the crime of sexual contact with a student to include sexual contact with a student of a public school while on public school property by a student teacher, employee of the school, volunteer of the school or of an organization working with the school on a project or program, or a person employed by an entity that contracts with a public school district to provide services;

(14) Eliminates the act of having deviate sexual intercourse with a person of the same sex from the crime of sexual misconduct in the first degree;

(15) Expands the crime of sexual contact with a prisoner or offender to include a probation and parole officer who has sexual intercourse or deviate sexual intercourse with an offender who is under the direct supervision of the officer;

(16) Specifies that no sexual offender will be present or loiter within 500 feet of the real property of any school or in any conveyance owned, leased, or contracted by a school when children younger than 18 years of age are present unless the offender is a parent, legal guardian, or custodian of the child and has obtained permission from the school administration;

(17) Increases the penalty for the crimes of enticement of a child and attempting to commit enticement of a child to a term of imprisonment of no less than five years and no more than 30 years;

(18) Creates the crime of sexual trafficking of a child younger than 12 years of age, a felony punishable by imprisonment for life without eligibility for probation or parole until the defendant has served at least 25 years;

(19) Allows a court to order the dissolution or reorganization of the corporation; the suspension or revocation of any license or permit; or the surrender of

its charter if it has been found guilty of or has pled guilty to certain sexual offenses;

(20) Creates the crime of promoting travel for prostitution, a class C felony;

(21) Prohibits travel agencies or charter tour operators from selling, advertising, or offering to sell travel services or tourism packages or from participating in activities that solicit, encourage, or facilitate travel for the purpose of engaging in prostitution. Violation of this provision will result in the revocation of the articles of incorporation of the agency or operator;

(22) Creates the crime of aiding a sexual offender, a class D felony;

(23) Removes from the sexual offender registry any person found guilty of or who pled guilty or nolo contendere to nonsexual child abuse or felonious restraint or kidnapping when the victim was a child and he or she was the parent or guardian of the child;

(24) Allows any person to petition the court for the removal of his or her name from the sexual offender registry after 10 years from the date he or she was required to register when he or she was found guilty of or pled guilty or nolo contendere to promoting prostitution in the second or third degree, committing a public display of sexual material, or committing statutory rape in the second degree and no physical force or threat of physical force was used in the commission of the crime;

(25) Allows any person to petition the court for the removal of his or her name from the sexual offender registry after two years from when the person was found guilty or pled guilty or nolo contendere to a sexual offense and was 19 years of age or younger and the victim was 13 years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the crime;

(26) Requires a person seeking removal from the sexual offender registry to notify the prosecuting attorney in the circuit court in which the petition is filed. Failure to notify the prosecuting attorney will result in an automatic denial of the person's petition. If the petition is denied by the judge, the person must wait at least 12 months before petitioning the court again;

(27) Requires each sexual offender registrant to report semi-annually and provide an updated photograph of himself or herself in the month of his or her birth to the chief law enforcement agency in the county of his or her residence;

(28) Specifies that a person who commits the crime of failing to register or failing to comply with the registration requirements will be guilty of a class A misdemeanor. A second offense will be a class D felony, and a third offense will be punishable by a term of imprisonment of not less than 10 years and not more than 30 years;

(29) Allows the court to conditionally release a person civilly committed as a sexually violent predator if that person's mental abnormality has changed so that the person is not likely to commit acts of sexual violence if released;

(30) Establishes a panel which will create a program to award grants to multijurisdictional Internet cyber crime law enforcement task forces and other law enforcement agencies for the salaries of newly hired detectives and computer forensic personnel who investigate Internet sex crimes against children. The panel will include the Director of the Department of Public Safety, two members appointed by the director from a list of nominees submitted by the Missouri Police Chiefs Association, two members appointed by the director from a list of nominees submitted by the Missouri Sheriffs' Association, two members of the State Highway Patrol appointed by the director from a list of nominees submitted by the Missouri State Troopers Association, one member of the House of Representatives appointed by the Speaker, and one member of the Senate appointed by the President Pro Tem. This provision will expire six years from the effective date; and

(31) Requires the Department of Corrections to notify the State Highway Patrol of any offender who is required to be electronically monitored.

The bill contains an emergency clause.

### **HCS#2 HB 1703 — INSURANCE POOLING**

This bill specifies that three or more political subdivisions forming a business entity for the purpose of providing liability and other insurance are not to be considered an insurance company or insurer.

### **SCS HB 1707 — LOCAL OFFICIALS**

Currently, the recorder of deeds for Jackson County must have a Kansas City office in which to record all instruments affecting property within a certain area. This bill allows those instruments to be recorded at the county seat in Independence.

The bill also allows the State Registrar within the Department of Health and Senior Services to appoint a person employed by a city health agency as a local registrar.

### **HB 1715 — CORPORATIONS**

This bill grants appraisal rights to all voting and nonvoting shareholders of a corporation which is a party to a merger or consolidation. To be eligible, a shareholder must:

(1) Own stock of the corporation undergoing a merger or consolidation as of the date of the shareholder meeting when the merger plan was submitted to a vote;

(2) File a written objection to the merger before or during the meeting at which the merger is submitted to a vote;

(3) Vote in opposition to the merger proposal; and

(4) File a written demand with the new corporation for payment of the fair value of the shares within 20 days after the merger.

Any shareholder not satisfying the above requirements will be conclusively presumed to have consented to the merger. Corporations are required to provide notice to each shareholder owning stock as of the record date for the meeting at which the merger is submitted to a vote, whether or not the shareholder is entitled to vote.

### **HB 1732 — SELF-ADMINISTERED MEDICATIONS BY STUDENTS**

Currently, the self-administration of an asthma medication inhaler by students is permissible under certain conditions. This bill changes the laws to include auto-injectible epinephrine for anaphylactic shock as a permissible self-administered medication. The bill specifies the necessary conditions for self-administration including a written treatment plan, proof that a student has demonstrated the skill required, and a signed liability release for the school.

### **HCS HB 1739 — AGRICULTURAL LOANS**

This bill defines "vermiculture operation" as a Missouri business entity engaged in raising earthworms under a controlled environment and makes the entity eligible for certain agricultural loan programs including Agricultural Linked Deposit loans and single-purpose animal facility loan guarantees.

### **HCS HB 1759 — ATHLETIC TRAINERS**

This bill requires that after August 28, 2006, applicants for licensure as athletic trainers must pass the examination given by the National Athletic Trainers Association Board of Certification or its successor agency. Currently, the State Board of Registration for the Healing Arts administers the licensing examination.

The bill also repeals certain academic and experience requirements for licensure as an athletic trainer.

### **SCS HCS HB 1762 — DISABLED LICENSE PLATES AND PLACARDS**

This bill exempts a person who presents proof of permanent disability from the United States Veterans Administration from the four-year certification requirement for renewal of disabled license plates or placards. Initial applications must include a physician's statement confirming the individual's disability.

Advanced practice registered nurses licensed pursuant to Chapter 335, RSMo, are allowed to issue a physician's statement for disabled license plates and placards.

### **SCS HCS HB 1787 — GUARD AT HOME PROGRAM**

This bill establishes the Guard at Home Program to assist the spouse of an active-duty national guardsman or reservist by addressing his or her immediate needs and employment in order to keep the family from falling into poverty while the primary income earner is on active duty and to help returning guardsmen find work in situations where an individual needs to rebuild business clientele or an individual's job was eliminated while on deployment.

Subject to appropriations, the Department of Economic Development will hire a contractor to administer the program and ensure that the contractor meets certain qualifications specified in the bill, including the ability to provide a 20% match to the program through indirect or direct expenditures. The department will develop the criteria of the contract based on the following:

(1) Eligible program participants will be families where:

(a) The primary income earner was called to active duty in defense of the United States for more than four months;

(b) The primary income is no longer available;

(c) The family is experiencing a significant hardship due to financial burdens; and

(d) The family has no outside resources available to assist with these hardships; and

(2) Services may be provided to families in order to alleviate an immediate crisis and to provide economic stability while the primary income is not available due to the active military commitment. The bill specifies some of the services which may be provided.

The department will submit a report to the President Pro Tem of the Senate and the Speaker of the House of Representatives on the operation and progress of the program by January 1, 2007.

The bill becomes effective July 1, 2006, and the department must make every effort to ensure that families are being served by August 1, 2006.

The bill contains an emergency clause.

### **HB 1827 — GROUP HEALTH INSURANCE**

For health insurance plans issued to an association covering both small and large employers, this bill allows the difference in premium rates charged between similar classes of business to exceed 20% if the Director of the Department of Insurance determines it will be in the public's interest. The director may also approve

additional classes of business if the plan is underwritten and rated as a single employer, has a uniform health plan design, guarantees issuance to all members, and complies with all other federal and state insurance requirements. The bill also reduces the membership requirement for policies issued to associations from 100 to 50 members.

### **SS SCS HCS HB 1837 — MEDICAL MALPRACTICE INSURANCE AND ENFORCEMENT POWERS OF THE DEPARTMENT OF INSURANCE**

This bill changes the laws regarding medical malpractice insurance and the enforcement powers of the Department of Insurance.

#### **MEDICAL MALPRACTICE INSURANCE**

The bill:

(1) Allows limited liability companies, corporations, limited liability partnerships, partnerships, and other entities formed for the practice of law or medicine to become members of an association providing malpractice insurance to its members;

(2) Requires the malpractice association's articles of association and bylaws to specify and define the types of assessments its members and former members might have to pay to cover losses and expenses incurred by the association;

(3) Makes associations writing malpractice insurance subject to reporting, notification, and rating requirements;

(4) Requires the Director of the Department of Insurance to establish risk reporting categories and reporting standards for insurers to annually report medical malpractice insurance premiums, losses, exposures, and other information the director may require. The director will compile this information in a manner appropriate for assisting medical malpractice insurers in developing future base rates, schedule rating, or individual risk rating factors and other aspects of their rating plans;

(5) Requires the director to annually establish and publish a market rate reflecting the mean of the actual rates charged for each risk reporting category and publish comparisons of the base rates charged by each insurer;

(6) Allows the director to issue administrative orders and seek other remedies specified in the bill to assure compliance for violations of the provisions relating to reporting medical malpractice information;

(7) Prohibits medical malpractice insurers from charging rates that are excessive, inadequate, or unfairly discriminatory. Rates will be based upon Missouri loss experience if available, not experience from other states unless the failure to do so will jeopardize the financial stability of the insurer;

(8) Prohibits an insurer from increasing malpractice insurance rates by more than 15% or refusing to renew a policy without at least 60 days' written notification unless requested by the insured or due to changes in the insured's practice or risk characteristics. Insurers cannot cease issuing policies in this state without 180 days' written notice to the insured and the director. If an insurer fails to give notice, the policyholder has the right to continue coverage under the policy; and

(9) Creates the Health Care Stabilization Fund Feasibility Board within the department to analyze medical malpractice data to determine whether a health care stabilization fund should be established in Missouri. The board will consist of 10 members including the department director, a medical doctor, a doctor of osteopathy, a licensed nurse, a representative of Missouri's hospitals, a family physician, and two members each from the Senate and House of Representatives. As part of its duties, the board will conduct a comprehensive study on whether a health care stabilization fund is feasible within Missouri, or specified geographic regions thereof, or for specific medical specialties. If the board determines that a fund is feasible, it will recommend to the General Assembly the structure, design, and funding. The director will appoint the members of the board, other than the General Assembly members, no later than January 1, 2007. The board will meet at least quarterly submitting annual reports on its progress with a final report and recommendations to the Governor and General Assembly by December 31, 2010, when the board expires.

#### ENFORCEMENT POWERS OF THE DEPARTMENT OF INSURANCE

The bill:

(1) Allows the Director of the Department of Insurance, upon determining that a person has violated or attempted to violate provisions of the insurance laws, to order the following relief:

(a) An order directing the person to cease and desist from engaging in the act, practice, omission, or course of business;

(b) A curative order or order directing the person to take other action necessary to comply with the insurance laws;

(c) Order a civil penalty or forfeiture; and

(d) Award reasonable costs of the investigation;

(2) Authorizes fines of up to \$100,000 and imprisonment of up to 10 years if a person violates a cease and desist order. Currently, a person may be punished by a maximum \$1,000 fine and up to one year in jail;

(3) Allows the director to suspend or revoke a corporation's or insurer's certificate of authority for

violating insurance laws or for a felony or misdemeanor conviction. The director must provide 30 days' notice and a hearing, if requested, before revocation;

(4) Allows the director to seek redress in county circuit courts. The court can issue injunctions, freeze assets, or take other action as specified. A consumer restitution fund is created for preserving and distributing disgorgement or restitution funds obtained through enforcement procedures to aggrieved consumers; and

(5) Classifies various violations of insurance laws into five categories from level one through level five. Maximum fines are established at each level with level one being the least and level five the highest. All fines collected will go to fund public schools as required by Article IX, Section 7, of the Missouri Constitution.

#### HB 1857 — COMMENCEMENT OF PROSECUTION

This bill specifies that a prosecution is commenced for a misdemeanor or infraction when the information is filed. A prosecution for a felony is commenced when the complaint is filed.

#### HB 1858 — POWER TO DISMISS CHARGES

This bill authorizes the prosecuting or circuit attorney to dismiss a complaint, information, or indictment without the consent of the court.

#### CCS SS HCS HB 1900 — ETHICS

This bill changes the laws regarding lobbyist reporting requirements and campaign contribution disclosures for public officials. In its main provisions, the bill:

(1) Requires "elected local government official lobbyists," defined as persons specifically employed to influence actions by the officials of specified political subdivisions with operating budgets of over \$10 million, to register in the same manner as other lobbyists and provide details of their expenditures according to specific criteria;

(2) Prohibits lobbyists from paying for out-of-state travel for members of the General Assembly or their staff, spouses, or dependent children unless the expenditure is approved by the Administration and Accounts Committee of the House of Representatives or the Administration Committee of the Senate;

(3) Requires lobbyists to include expenditures for all members of either a majority or minority caucus of the General Assembly in their monthly reports to the Missouri Ethics Commission and requires that expenditures not made to the entire House of Representatives, Senate, or majority and minority caucuses be attributed to individual legislators;

(4) Revises the procedures for filing complaints under Section 105.957, RSMo, involving lobbying, financial interest disclosure, and campaign finance disclosure and specifies that those filing false complaints may be subject to civil litigation;

(5) Requires the executive director of the commission to notify candidates and the treasurer of a campaign committee of the failure to file campaign disclosure reports and the fines that will be assessed. Notice will no longer be required for deputy treasurers;

(6) Prohibits individuals who have been convicted of or have pled guilty to a felony from holding elective office and prevents anyone who owes state personal income or property taxes or is a past or present corporate officer of a fee office that owes taxes from running for office unless the taxes are currently in dispute or paid within a specified period of time;

(7) Prohibits the formation of candidate committees for the offices of Speaker of the House of Representatives and President Pro Tem of the Senate and requires candidate committees to be formed 60 days prior to an election;

(8) Removes the maximum contribution limits per election year for most statewide elected offices by repealing parts of Section 130.032 and prohibits any candidate for statewide office, except candidates for a special election, from accepting campaign contributions during the legislative session;

(9) Prohibits the donation of money by political party committees to candidate committees, continuing committees, or other political party committees and requires the disclosure of campaign contributions from political, campaign, candidate, or continuing committees in the financial interest statements required by Section 105.485;

(10) Requires disclosure reports to be electronically filed with the commission;

(11) Requires the commission to post on its web site the expenditures for and against candidates that are required to be disclosed under Sections 130.041 and 130.050;

(12) Revises certain deadlines for filing disclosure reports under Sections 130.046 and 130.050;

(13) Prohibits the filing of a complaint under Section 130.054 with the commission within 15 days of a primary or general election in which the candidate being accused of a campaign finance or disclosure violation is running for office; and

(14) Requires the commission by January 1, 2007, to issue a report to the General Assembly on its recommendations for regulating political telephone solicitations.

## **CCS SS SCS HCS HB 1944 — EMINENT DOMAIN**

This bill changes the laws regarding the use of eminent domain. The power of eminent domain will be vested in governmental entities or agencies whose governing body is elected or appointed by elected officials, private utility companies, public utilities, rural electric cooperatives, municipally owned utilities, pipelines, railroads, and common carriers. In its main provisions, the bill:

(1) Specifies that private property may only be taken through the use of eminent domain after determining blight of the property or the taking is for a public use and not without just compensation;

(2) Defines “fair market value,” “heritage value,” “farmland,” and “homestead taking”;

(3) Specifies that farmland will not be determined to be blighted;

(4) Requires that for all condemnations filed after December 31, 2006, just compensation for condemned property will be determined by fair market value, homestead taking which is fair market value multiplied by 125%, or heritage taking which is fair market value multiplied by 150%;

(5) Specifies that all displaced residential individuals eligible for assistance will receive a \$1,000 fixed moving expense payment or the actual reasonable costs of relocation not including the cost of replacement property. All displaced businesses eligible for relocation assistance can choose to receive a \$3,000 fixed moving expense or the actual costs of moving and up to \$10,000 for reestablishment expenses;

(6) Requires the circuit judge presiding over the condemnation to determine after the filing of the commissioners’ report whether a homestead taking has occurred and whether heritage value is to be paid to the property owner;

(7) Specifies that at least 60 days prior to initiating negotiations to acquire a property interest, the condemning authority must give a written notice to the owner of record identifying the interest in real property to be acquired; the purpose for which the property is being condemned; and a statement of the property owner’s rights including the right to seek legal counsel, to make a counteroffer and engage in negotiations, to obtain the landowner’s own appraisal, to contest the condemnation proceeding, and to have just compensation determined preliminarily by court-appointed condemnation commissioners and, ultimately, a jury. The jury will consider the same factors as those used for determining just compensation when blighted property or property for a public use is taken. If the property owner obtains his or her own appraisal, it must be delivered to the condemning authority within 60 days from the date of the notice;

(8) Specifies that a written offer must be presented to the property owners of record at least 30 days before filing a condemnation petition;

(9) Requires that before a condemning authority may proceed with a condemnation, there must be a court determination that proper and timely notice was given to all property owners, an initial offer no lower than the appraisal amount was given, and that the landowner was given an opportunity to obtain his or her own appraisal from a state-licensed or state-certified appraiser of his or her choice. If the court finds good faith negotiations have not taken place, the court must dismiss the condemnation petition and order the condemning authority to reimburse the owner for his or her actual reasonable attorney fees and costs;

(10) Requires the court to order payment of the landowner's legal fees and expenses and award damages accruing as a direct and proximate result of the pendency of the condemnation if the condemning authority abandons condemnation prior to the final judgment of the court;

(11) Specifies that no condemning authority can acquire private property through the use of the power of eminent domain for solely economic development purposes and defines "economic development" to mean a use of a specific piece of property which would provide an increase in the tax base, tax revenues, employment, and general economic health for any political subdivision;

(12) Requires the condemning authority to individually consider each parcel of property in an area with regard to whether the property is blighted. If the condemning authority finds a preponderance of the area is blighted, it may proceed with the condemnation of any parcel in the area;

(13) Specifies that property interests acquired through eminent domain by private utility companies, public utilities, rural electric cooperatives, municipally owned utilities, or common carriers are fixed and determined by the particular use for which the property was acquired. Any expanded use of the property will require additional eminent domain proceedings to acquire the additional rights;

(14) Establishes an Office of Ombudsman in the Office of Public Counsel within the Department of Economic Development to assist citizens seeking information regarding the condemnation process and procedures;

(15) Specifies that blanket easements will be void as against public policy and will be unenforceable;

(16) Allows any financial gain to the property owner arising from a condemnation action to be deducted from the taxpayer's federal adjusted gross income when calculating his or her Missouri adjusted gross income;

(17) Specifies that any easements acquired after December 31, 2006, and abandoned in whole for a period in excess of 10 years may be vacated by a court of competent jurisdiction and upon the property owner paying monetary consideration equal to the original consideration paid by the easement holder. The holder of the easement must be a party to the action and may be allowed to maintain the easement upon a showing, in good faith, that the holder plans to make future use of the easement; and

(18) Specifies that within 30 days of the initial notice by the condemning authority, a landowner may propose an alternative location on his or her property which must be considered by the condemning authority.

## **HJR 55 — COMPENSATION AND DISCIPLINE OF PUBLIC OFFICIALS**

Beginning January 1, 2007, this proposed constitutional amendment prohibits, upon voter approval, public officials from receiving any state pension if they are convicted of felonies while serving in office, removed from office for misconduct, or impeached.

The amendment requires a two-thirds majority vote by the General Assembly in order to veto the compensation schedule recommended by the Missouri Citizens' Commission on Compensation for Elected Officials. The requirement that the compensation schedule be subject to appropriations by the General Assembly is repealed. No compensation schedule approved by the commission will apply to members of the General Assembly until January 1, 2009.



**TRULY AGREED TO AND FINALLY PASSED**

**SENATE BILLS**

**SB 558 — EXPERIMENTAL TARIFFS OF GAS CORPORATIONS**

This bill removes the termination date of June 30, 2007, for experimental tariffs authorized by the Missouri Public Service Commission for gas corporations which allow schools to purchase aggregate amounts of natural gas. The current tariffs will remain in effect until terminated by the commission.

**SB 559 — JOINT MUNICIPAL UTILITY COMMISSIONS**

This bill clarifies the definition of “person” as it relates to Sections 393.700 - 393.770, RSMo, to mean a specified type of entity created under the laws of any state or the United States.

**SB 561 — EXCURSION GAMBLING BOAT ADMISSION FEE REVENUE**

This bill limits the expenditures that can be made from funds derived from admission fees paid to the City of St. Charles and St. Charles County by excursion gambling boats to no more than the amount of revenue received from these fees in Fiscal Year 2007. If a new excursion gambling boat locates in the City of St. Charles or St. Charles County, the amount of expenditures from funds derived from admission fees cannot exceed the average revenue received by the city or county from admission fees during the first two fiscal years in which the boat is open for business. In the future, if the city or county collects admission fee revenue in excess of what it collected in Fiscal Year 2007, the revenue will be treated as if it were sales tax revenue; and the city or county must reduce its total general revenue property tax levy.

For fiscal years 2010 through 2014, at least 70% of the admission fee revenues must be used for expenses related to capital, cultural, and special law enforcement purposes. For fiscal years 2015 and beyond, the amount is increased to at least 80%.

**HCS SCS SB 567 & 792 — HEALTH INSURANCE COVERAGE**

This bill changes the laws regarding health insurance coverage.

**HEALTH INSURANCE BENEFITS**

Currently, an employer may provide or contract for health insurance at a reduced premium rate for employees who do not smoke or use tobacco products. The bill allows an employer to also provide or contract for health insurance at a reduced deductible level for employees who do not smoke or use tobacco products. Insurers or small-employer carriers offering these policies will not be in violation of any unfair trade practice.

**HEALTH INSURANCE COVERAGE FOR CLINICAL TRIALS**

The bill requires health insurers to cover routine patient care costs incurred as a result of phase II clinical trials for cancer treatment. Currently, coverage is only required for phase III or IV of these trials. The provisions regarding phase II of a clinical trial will not automatically apply, but must be an option to any individually underwritten health benefit plan.

**HEALTH INSURANCE CO-PAYMENTS FOR PRESCRIPTION DRUGS**

Health insurers will be required to charge only one co-payment on a prescription if the required single dosage is not available and a combination of dosage amounts must be dispensed to fill the prescription. This provision does not apply to prescriptions in excess of a one-month supply. If technology does not permit adjudication, the health carrier or health benefit plan will provide reimbursement forms for the patients.

**SCS SB 578 — FUNERAL PROTESTS**

This bill establishes the Spc. Edward Lee Myers’ Law which makes it a class B misdemeanor to picket or protest in front of or about any church, cemetery, or funeral establishment within one hour prior to the commencement until one hour following the cessation of any funeral. Any subsequent violation will be a class A misdemeanor.

The bill contains an emergency clause.

**SCS SB 580 — COORDINATING EDUCATIONAL AND ECONOMIC POLICY**

This bill requires the Commissioner of Higher Education, the Chair of the Coordinating Board for Higher Education, the Commissioner of Education, the President of the State Board of Education, and the Director of the Department of Economic Development to meet and discuss ways in which their respective departments may collaborate to achieve a more efficient and effective education system that more adequately prepares students for entering the workforce. The bill contains goals to accomplish the coordination. The group is required to report annually to the General Assembly and the Governor on their agencies’ actions and recommendations for initiatives and statutory changes.

**HCS SS#2 SCS SB 583 — VEHICLE EMISSIONS INSPECTION PROGRAM**

This bill revises the state’s vehicle emissions inspection program by creating a decentralized emissions inspection program in which only motor vehicle safety inspection stations and other entities

certified by the Air Conservation Commission will conduct emissions inspections. The program will apply consistently throughout the City of St. Louis and the counties of St. Louis, St. Charles, Jefferson, and Franklin.

Prior to September 1, 2007, the commission must develop a program which allows official emissions inspection stations to conduct onboard diagnostic testing on 1996 and newer vehicles. Before issuing a certificate of authorization to a prospective station, the commission must determine if the applicant will be properly equipped, has qualified emissions inspectors, and meets other requirements specified by the commission. Official inspection stations which are certified will be allowed to repair motor vehicles to bring them into compliance.

The Department of Natural Resources must issue a report to the General Assembly and the Governor regarding the progress of implementing the decentralized emissions inspection program. The report will include how many inspection stations or individuals the department expects to participate in the program and how many will be qualified by September 1, 2007, to conduct emissions inspections. The department will also be required to actively promote participation in the decentralized emissions inspection program among qualified motor vehicle dealers, service stations, and other individuals. After the implementation of the program, the department must monitor participation and attempt to ensure, through promotional efforts, that no more than 20% of all persons residing in the affected nonattainment area reside farther than five miles from the nearest inspection station.

The fee for an emissions inspection will not exceed \$24. Vehicle owners will not be charged an additional fee for a reinspection if completed within 20 days, excluding Saturdays, Sundays, and holidays. The commission must establish by rule a waiver amount not to exceed \$450. The waiver amount for an owner that performs repair work on his or her own vehicle will be \$400 if the cost of the parts used by the owner is equal to or greater than \$400. The cost for labor performed by the owner will not count toward the waiver limit. The commission may establish by rule a lower waiver amount for owners who provide reasonable and reliable proof that they are financially dependent solely on state and federal disability benefits and other public assistance programs. This proof must be submitted to the commission 30 calendar days prior to each subsequent emissions inspection before the lowered waiver amount is allowed. The Director of the Department of Revenue may verify a successful inspection electronically.

The bill exempts from the inspection requirements diesel-powered vehicles except light-duty, diesel-powered vehicles manufactured after 1996 with a gross

vehicle weight rating of 8,500 pounds or less; new motor vehicles not previously titled and registered for a four-year period following their model year of manufacture if the odometer reading is less than 40,000 miles at their first required biennial safety inspection; school buses; and motor vehicles driven fewer than 12,000 miles between biennial safety inspections. Vehicles which are inspected and approved prior to a sale or transfer will not be subject to another emissions inspection for 90 days after the date of sale or transfer.

The procedures for becoming an official emissions inspection station are specified. The commission may suspend a station's certificate of authority to conduct emissions inspections if the station is given due process as specified in the bill.

The Department of Natural Resources and the State Highway Patrol will provide oversight of the emissions inspection program. Beginning October 1, 2008, and every October 1 thereafter, the department and the patrol must jointly submit an annual report to the General Assembly detailing the oversight measures implemented for the program, data collected regarding compliance and incidents of fraud, and recommendations for improvements to the program.

The bill dissolves the Missouri Air Pollution Control Fund and transfers its moneys to the Missouri Air Emission Reduction Fund.

The bill becomes effective September 1, 2007.

#### **SB 612 — CONVEYANCE IN ST. FRANCOIS COUNTY**

This bill authorizes the Governor to convey state property located in St. Francois County to the Farmington American Legion Post 416.

The bill contains an emergency clause.

#### **HCS SCS SB 614 — RESIDENTIAL TREATMENT AGENCY TAX CREDIT ACT**

This bill establishes the Residential Treatment Agency Tax Credit Act which authorizes a tax credit for 50% of the amount contributed to a qualified residential treatment agency. To be a qualified residential treatment agency, the agency must be licensed under Section 210.484, RSMo, and contract with the Department of Social Services to provide treatment services. On behalf of individuals who have made donations, an agency can apply for tax credits in an aggregate amount that does not exceed 40% of the payments received by the agency from the department in the preceding 12 months.

The tax credit is nonrefundable, can be carried back three years or forward four years, and is fully transferable.

**CCS HCS SCS SB 616 — ASSISTED LIVING FACILITIES**

This bill changes the laws regarding assisted living facilities. In its main provisions, the bill:

(1) Changes the terms “residential care facility I” as it applies to long-term care provided to the elderly and disabled to “residential care facility” and “residential care facility II” to “assisted living facility”;

(2) Defines “assisted living facility” as any premises other than a residential care facility, intermediate care facility, or skilled nursing facility that provides or coordinates 24-hour care and protective oversight to three or more residents. Care may include the provision of shelter, board, and assistance with any activities of daily living or supervision of health care under the direction of a licensed physician;

(3) Defines “community based assessment,” “dementia,” “activities of daily living,” “instrumental activities of daily living,” “appropriately trained and qualified individual,” and “social model of care”;

(4) Allows any residential care facility licensed as a residential care facility II immediately prior to the effective date of these provisions and for the purpose of receiving supplemental welfare assistance payments under Section 208.030, RSMo, to continue to receive the payment amount allocated for a residential care facility II;

(5) Requires an assisted living facility to provide for or coordinate oversight and services to meet the needs of a resident as specified in a written contract signed by the resident or other responsible party;

(6) Prohibits an assisted living facility from accepting an individual who is a danger to self or others, requires physical or chemical restraint, requires more than one person to simultaneously assist the resident in daily activities, or is bed-bound;

(7) Requires an assisted living facility to provide staff in appropriate numbers and with appropriate skills to provide 24-hour care to residents;

(8) Requires multilevel facilities or facilities accepting residents with cognitive or physical impairments to be in compliance with National Fire Protection Association Code 13 and the 1997 Life Safety Codes for Existing Health Care Occupancy;

(9) Requires an assisted living facility to keep a written plan for the protection of all residents in the event of a disaster;

(10) Allows an existing residential care facility II to be licensed as an assisted living facility as long as the facility continues to meet all laws, rules, and regulations that were in place the day before the provisions of the bill become effective. The provision does not exempt a residential care facility II from the 24-hour staff, written plan protection, screening, and assessment requirements;

(11) Requires an assisted living facility to complete at least semi-annually a resident assessment upon admission and whenever a significant change has occurred in the resident’s condition;

(12) Requires the use of a personal electronic monitoring device for any resident of an assisted living facility whose physician recommends its use;

(13) Prohibits any facility from naming or advertising itself as an assisted living facility without obtaining a license from the Department of Health and Senior Services;

(14) Requires the department to develop rules to ensure the compliance of the provisions of the bill; and

(15) Requires the departments of Social Services and Health and Senior Services to jointly prepare by January 1, 2008, a report to the Governor and General Assembly on the differences found in the evaluation of the requirements for inspectors or surveyors of facilities and the performance of the inspectors.

**SB 618 — CHILD SUPPORT PAYMENTS**

This bill allows a custodial parent to receive child support payments by direct deposit into his or her designated account. The family support payment center may issue an electronic access card to disburse support payments to a custodial parent who is not using direct deposit.

**SCS SB 630 — HOMESTEAD PRESERVATION ACT**

This bill modifies the Homestead Preservation Act by including eligibility for multiple, unmarried property owners. The bill specifies that in the case of joint ownership or tenancy by unmarried persons, all owners will be considered eligible owners if each person with an ownership interest individually satisfies the eligibility requirements. To qualify, the combined income of all interest holders in the property must be less than the maximum upper limit in the year prior to applying for the homestead credit. The filing deadline for the homestead tax credit is changed from September 30 to October 15.

**SB 641 — MISSOURI HIGHER EDUCATION SAVINGS PROGRAM**

This bill requires that any contribution to the Missouri Higher Education Savings Program be held in the program for at least 12 months in order to avoid penalties.

### **SB 645 — BUSINESS USE INCENTIVES FOR LARGE-SCALE DEVELOPMENT**

This bill expands the definition of “essential industry” to include certain businesses in the City of Fenton. Currently, only certain businesses in the City of Hazelwood are given this designation.

In order to be deemed an essential industry, the business must:

(1) Be a targeted industry located in the cities of Fenton or Hazelwood;

(2) Invest \$500 million in an economic development project within three years of receiving bonds or credits from the Missouri Development Finance Board through the Business Use Incentive for Large-Scale Development (BUILD) Program for large-scale economic development projects;

(3) Have maintained at least 2,000 jobs at the proposed project site for a period of four years prior to applying for participation in the BUILD Program; and

(4) Maintain the same level of employment at the site as existed the year prior to applying for the program. This level of employment must be met within three years of receiving BUILD certificates and must continue for as long as the business participates in the BUILD Program.

### **SB 648 — FIRE REGULATIONS FOR MENTAL HEALTH FACILITIES**

This bill replaces the term “lunatic asylums” with “mental health facilities” when referring to facilities that must have stairs or fire escapes.

### **SCS SB 650 — MISSOURI STATE UNIVERSITY**

This bill specifies that members of the governing board of Missouri State University will serve six-year terms. The voting members of the board on August 28, 2005, will serve until the expiration of the terms for which they were appointed; and the terms of office for those appointed after August 28, 2005, will be established so that no more than three terms expire in any year. If a member changes the congressional district in which he or she resides, a unanimous vote of the board can vacate the seat. If the number of congressional districts is changed or the boundaries of any congressional district are changed in a manner that displaces a board member from the district from which he or she was appointed, the member can serve the remainder of the term for which he or she was appointed. The bill also makes other technical changes regarding the university’s name change.

The bill contains an emergency clause.

### **SCS SB 667, 704, 941, 956 & 987 — MEMORIAL HIGHWAYS AND BRIDGES**

This bill designates the following memorial highways and bridges:

(1) The portion of State Highway M, within the limits of the City of Irondale, in Washington County as the “Trooper Robert Kolilis Memorial Highway”;

(2) The portion of U. S. Highway 54 located within Camden County from the eastern limits of the City of Macks Creek to the western limits of the City of Camdenton as the “Trooper Ross S. Creach Memorial Highway”;

(3) The bridges on U. S. Highway 60 over the Current River located within the limits of the City of Van Buren as the “Sgt. Dewayne Graham Jr. Memorial Bridges MO State Highway Patrol”;

(4) The portion of U. S. Highway 60 from the intersection of State Route MM to the intersection of State Highway 181 in Texas County as the “Trooper D. Kevin Floyd Memorial Highway”;

(5) The portion of Interstate 44 from mile marker 91 to mile marker 94 in Webster County as the “Cpl. Jay Sampietro MO State Hwy. Patrol Memorial Highway”; and

(6) A two-mile portion of Interstate 44 heading east from the U. S. Highway 50 intersection in Franklin County as the “Trooper Ralph Tatoian Memorial Highway.”

### **SB 677 — RADIATION CONTROL**

This bill dissolves the Committee on Radiation Control, a subcommittee of the Missouri Atomic Energy Commission.

### **SB 678 — QUARTERLY TAX COLLECTION REPORTS FOR TEMPORARY TAXES**

This bill repeals obsolete provisions of law requiring the Director of the Department of Revenue to make quarterly tax collection reports for temporary taxes that are no longer in effect.

### **SCS SB 701 & 948 — NATIONAL GUARD MEMBER EDUCATIONAL ASSISTANCE GRANTS**

Currently, a recipient of an educational assistance grant from the Missouri National Guard is required to maintain his or her military affiliation while enrolled in a course of study. This bill requires that the guard member maintain his or her active military affiliation for the academic semester or term.

**SS SCS SB 718 — ISSUANCE OF STATE LOANS**

This bill authorizes the Missouri Development Finance Board, the Missouri Health and Education Facilities Authority, the Missouri Higher Education Loan Authority, the Missouri Housing Development Commission, and the Environmental Improvement and Energy Resources Authority to approve a loan request only if the means of repayment is readily ascertainable and reliable. With the exception of annual appropriation debt for state-owned property, entities cannot approve a request if the means of repayment is contingent upon state funding that has not been granted unless the project has been approved by a concurrent resolution of the General Assembly or similar legislative directive or approval.

The Jobs Now Fund is included in the list of funds from which a loan may be requested from the Missouri Development Finance Board.

Currently, the State Board of Public Buildings cannot issue revenue bonds for the acquisition of office buildings for one or more projects in excess of a total par value of \$655 million. The bill increases the limit to \$775 million.

**HCS SB 725 — ALCOHOLIC BEVERAGES**

This bill allows culinary students older than 18 years of age to taste, but not consume or drink, any beer, ale, porter, wine, or other similar malt or fermented beverage as part of the required curriculum.

A student younger than 21 years of age is explicitly prohibited from receiving any beer, ale, porter, wine, or other similar malt or fermented beverage unless the beverage is delivered as part of the student's required curriculum and is used only for instructional purposes during classes conducted as part of the curriculum.

Intoxicating and nonintoxicating beer are required to be brewed from a malt or a malt substitute. Flavor and other nonbeverage ingredients containing alcohol may be used in producing intoxicating and nonintoxicating beer but may not contribute to more than 49% of the overall alcohol content of the finished beer.

**SCS SB 747 — USED MOTOR VEHICLE DEALER EDUCATIONAL COURSES**

This bill requires applicants for a used motor vehicle dealer's license to complete an educational seminar course approved by the Department of Revenue within 12 months of applying for a license. The provisions of the bill will not apply to wholesale and retail auto auctions, new motor vehicle franchise dealers, or motor vehicle leasing agencies. Used motor vehicle dealers who are licensed prior to August 28, 2006, will not be subject to the provisions of the bill.

**SCS SB 749 — INTERIOR DESIGNERS**

This bill reduces the verification of experience requirements for registered commercial interior designers that is submitted to the National Council for Interior Design Qualification from five to two client references and from five to three industry references.

**SCS SB 751 — PUBLIC SCHOOL PROPERTY**

This bill allows the City of Corder to sell or use property originally acquired from the school district located in its city limits for public use for any purpose after 25 years.

**CCS HCS SCS SB 756 — PROFESSIONAL REGISTRATION**

This bill changes the laws regarding the licensing of certain professions within the Division of Professional Registration in the Department of Economic Development.

**PRESCRIPTIVE AUTHORITY**

The bill authorizes advance practice nurses to prescribe certain substances containing pseudoephedrine while engaged in a collaborative agreement with a physician.

**MASSAGE THERAPY**

The Board of Therapeutic Massage is authorized to promulgate rules establishing requirements for granting licenses for applicants from other states who have completed massage therapy programs which are less than 500 hours. Massage therapy businesses are prohibited from employing an unlicensed person to perform massage therapy services. The board is required to send copies of all board survey inspections to the business within 30 days of the inspection and is allowed to waive or extend the time requirements for completion of continuing education requirements under certain circumstances as determined by the board. Nonresident licensed massage therapists will be exempt from licensure if they are providing services or instruction in conjunction with disaster relief or at special events.

The board is also authorized to contract for legal services.

**DENTAL RECORDS**

Dentists are required to maintain complete and adequate patient records. Records must be retained for at least seven years from the date of the last professional service. Any addition or change to a patient's record made more than 48 hours after the final entry will be entered as an addendum and will specify the time; date; name of person making the addition, correction, or change; and the reason for the change.

Laboratory work orders are also required to be maintained for seven years.

#### REVOCATION OF LICENSES

The State Board of Registration for the Healing Arts is authorized to revoke the professional license of any person licensed under Chapter 334, RSMo, who has been found guilty of a felony. Currently, it only applies to physicians.

#### COLLABORATIVE AGREEMENT REPORTING

The bill requires physicians to report within 30 days to the State Board of Registration for the Healing Arts when entering into any collaborative practice or physician assistant agreement. Physicians are also required to provide the board with all their collaborative practice agreements when renewing their license. This information will be available to the public.

The board is authorized to conduct random reviews of these agreements to determine whether licensees are in compliance with the provisions of the bill.

#### ATHLETIC TRAINERS

The bill requires that after August 28, 2006, applicants for licensure as athletic trainers must pass the examination given by the National Athletic Trainers Association Board of Certification or its successor agency. Currently, the State Board of Registration for the Healing Arts administers the licensing examinations.

Certain academic and experience requirements necessary for licensure are repealed.

#### PROFESSIONAL COUNSELORS

Professional counselors licensed in other states are allowed to apply for licensure in Missouri without examination if the applicant has had no disciplinary action taken against his or her license in the past five years or has met all eligibility criteria established by the American Association of State Counseling Boards or its successor organization.

#### SOCIAL WORKERS

Clinical social workers licensed in other states are allowed to obtain a Missouri license if they have had no disciplinary action taken against their license in the preceding five years and their current state license has substantially the same licensing requirements as the State of Missouri.

#### VETERINARIANS

The Missouri Veterinary Medical Board is authorized to promulgate rules determining when applicants are required to submit an application for the licensing examination. Currently, applicants are required to make application 60 days prior to taking the examination.

#### ADMINISTRATIVE HEARING COMMISSION

The Administrative Hearing Commission is authorized to publish notifications of licensing cases to be heard before the commission if notification cannot be accomplished in person or by certified mail.

#### HCS SCS SB 765 — EMERGENCY MEDICAL TREATMENT

This bill specifies that informed consent is not required for research programs or experimental medical procedures for certain patients subject to a life-threatening emergency when conducted in accordance with certain federal regulations and when the institutional review board has approved the research activity.

The bill contains an emergency clause.

#### HCS SCS SB 769 — FISCAL AND OTHER AUTHORIZATIONS FOR CERTAIN SCHOOL DISTRICTS

This bill allows the Puxico R-VIII, Valley R-VI, Bismarck R-V, and Caruthersville R-XVIII school districts to make a one-time additional transfer from the incidental fund to the capital projects fund in an amount not to exceed 40% of the district's June 30, 2006, incidental fund. The transfer must occur by July 1, 2007.

Any school district affected by the April 2006 tornadoes may be exempted from making up its lost school time according to a sliding scale specified in the bill and is allowed to use the summer school food service standards while running double sessions.

The bill contains an emergency clause.

#### SB 778 — WATERCRAFT REGISTRATION FEES

This bill increases the fee for a certificate of number when registering the following vessels:

- (1) Under 16 feet in length from \$10 to \$25;
- (2) At least 16 feet but less than 26 feet in length from \$20 to \$55;
- (3) At least 26 feet but less than 40 feet in length from \$30 to \$100; and
- (4) At least 40 feet and longer from \$40 to \$150.

The first \$2 million collected annually for numbering will be deposited into the General Revenue Fund. All fees collected in excess of \$2 million will be deposited into the newly created Missouri State Water Patrol Fund when the state's net general revenue increases by 2% or more from the previous fiscal year. Moneys in this fund, subject to appropriations, will be used solely for the expenses of the State Water Patrol. Revenue remaining in the fund at the end of the biennium will not revert to the credit of the General Revenue Fund.

When applying for or renewing a vessel's certificate of number from the state or for a vessel documented with the United States Coast Guard, the owner must submit proof that all personal property taxes on the vessel have been paid.

**SB 785 — DUTIES OF JAILERS**

This bill authorizes jailers to serve arrest warrants on individuals who are already inmates in the custody of the facility in which the jailer is employed.

**SCS SB 802 — SEWER DISTRICTS**

This bill defines “owner,” “registered voters,” and “voters” as the terms relate to the laws governing sewer districts in counties of the second classification.

The bill contains an emergency clause.

**HCS SB 809 — MUNICIPAL ZONING**

This bill allows cities, towns, and villages that are granted zoning powers under Chapter 89, RSMo, to adopt by reference the zoning regulations of the county instead of adopting their own municipal regulations through the passage of an ordinance.

**HCS SB 819 — LICENSING OF ENGINEERS AND LAND SURVEYORS**

This bill authorizes the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects to issue land surveying and engineering licenses to persons meeting certain criteria specified in the bill.

**SB 822 — HEALTH CARE PROVIDER TAX**

This bill extends the expiration date for the state’s Medicaid managed care organization reimbursement allowance and the pharmacy tax from June 30, 2006, to June 30, 2007. The expiration date for the federal reimbursement allowance and the nursing facility reimbursement allowance is extended from September 30, 2006, to September 30, 2007.

The bill contains an emergency clause.

**HCS SS SCS SB 825 — KANSAS AND MISSOURI REGIONAL INVESTMENT DISTRICT COMPACT**

This bill establishes the Regional Investment District Compact between the states of Missouri and Kansas to provide regional programs and initiatives that will produce significant benefits to the Kansas City metropolitan area by efficiently using resources related to public transportation.

The legislatures of Kansas and Missouri must both enter into the compact. The compact will include the counties of Buchanan, Clay, Platte, Jackson, Cass, and Ray in Missouri and the counties of Wyandotte, Johnson, and Leavenworth in Kansas. Other cities, counties, and political subdivisions can join the compact.

The bill:

(1) Specifies the membership, duties, and powers of the commission which will govern the regional investment district and the oversight committee;

(2) Specifies the purposes for which the tax revenue may be spent;

(3) Specifies the requirements of the program plan which describes the regional program and authorizes the appropriation of revenue received from the sales tax authorized by the compact;

(4) Authorizes the governing body of each participating county to levy a sales tax, upon voter approval, of up to 0.5%. The sales tax cannot be in effect for more than 15 years unless it is renewed by the qualified voters of the county prior to its expiration. However, before this sales tax can be levied in any county, it must first receive voter approval in Jackson County in Missouri and Johnson and Wyandotte counties in Kansas;

(5) Requires the commission to submit an annual report on its operations and transactions during the preceding year to the legislatures and governors of Missouri and Kansas and the governing bodies of all jurisdictions that participate in the compact. The report must be submitted by March 15 and must include an audit performed by a certified or licensed public accountant;

(6) Prohibits the commission and the committee from incurring debt of any kind or from pledging the credit of the Mid-America Regional Council, the State of Missouri, the State of Kansas, or any other jurisdiction that is a party to the council’s articles of agreement;

(7) Establishes the Regional Investment Fund in the State Treasury. All additional sales tax revenue from the participating counties will be collected by the Department of Revenue and deposited into the fund;

(8) Prohibits revenue from the sales tax from being allocated to any tax increment financing project; and

(9) Allows Missouri counties to participate in the compact if, by July 1, 2007, Kansas has not authorized its counties to participate.

**SB 828 — DENTAL HYGIENE SERVICES**

Currently, the provisions allowing dental hygienists to provide services in a public health setting for children eligible for medical assistance under Chapter 208, RSMo, will expire on August 28, 2006. This bill repeals the sunset provision.

**SCS SB 830 — POLICE MILITARY LEAVE**

This bill allows members of the Police Retirement System of Kansas City to receive service credit for time spent in military service during a war. Members will not be required to pay member contributions for this service time.



**HCS SB 834 — SPECIAL EDUCATION**

Currently, optional resolution conferences are permitted as the first step of due process in special education disputes. This bill removes the resolution conference and makes technical changes to remove references to it because it is already in federal law.

Currently, there is a 45-day time line for due process hearings. The bill removes the 45-day limit and incorporates by reference the requirements of the federal Individuals with Disabilities Education Act (IDEA) standards for these hearings.

Evaluations of private school students who may have a disability under the IDEA will be conducted by the school district in which the private school is located.

**HCS SB 837 — INSURANCE BOARD MEMBERSHIP**

This bill modifies the membership requirements for the board of directors of the Missouri Health Insurance Pool and the Medical Malpractice Joint Underwriting Association. The committee member requirements for the Missouri Basic Property Insurance Inspection and Placement Program are also modified.

The board of directors for the Missouri Health Insurance Pool will consist of the Director of the Department of Insurance and eight members appointed by the director. The members appointed by the director must have a background and experience in health insurance plans, health care finance, or as a health care provider.

The board of directors overseeing the joint underwriting association will change four of the directors from the National Association of Independent Insurers and the American Mutual Insurance Alliance to two directors that are members of the Property and Casualty Insurers Association of America and two directors who are members of the Missouri Insurance Coalition.

Currently, the Alliance of American Insurers and the National Association of Independent Insurers have two members each on the governing committee that administers the Missouri Basic Property Insurance Inspection. The bill changes these four members to two members from the Property and Casualty Insurers Association of America, one member from the National Association of Mutual Insurance Companies, and one member from the Missouri Insurance Coalition.

**HCS SB 840 — HIGHWAYS AND BRIDGES**

This bill changes the laws regarding the highway and bridge designation process. In its main provisions, the bill:

(1) Specifies that a person requesting a highway or bridge designation must submit the proper documents and fees to the Department of Transportation no later

than November 1 of each year. The Joint Committee on Transportation Oversight will then approve or deny the request during the next regular legislative session;

(2) Specifies that the signs erected must be maintained for a 20-year period; and after that time, the signs will be subject to removal unless the sponsoring organization or person files another application to retain the designation;

(3) Specifies that the fee for constructing and maintaining the signs will not exceed the construction and maintenance cost of each sign. Currently, the fees are \$400 and \$600 respectively;

(4) Prohibits a bridge or portion of a highway from being named after more than one person, event, place, or organization. Each person, event, place, or organization will only be eligible for one bridge or highway designation;

(5) Requires the highway designation sign fees to be deposited into the Road Fund instead of the Department of Transportation Bridge and Highway Sign Fund;

(6) Allows highway and bridge designations to also be made for state employees killed while serving the state; and

(7) Allows the Highways and Transportation Commission to convey or exchange its interest in land or leasehold for the property's approximate fair market value. The commission, at its discretion, will also be allowed to convey at no cost or exchange its interest in any land or leasehold that is no longer necessary for its use to any federal, state, or local governmental entity.

**SB 845 — WAIVERS FOR DISSOLVED CORPORATIONS DUE TO MILITARY SERVICE**

This bill allows the Secretary of State to waive reinstatement fees and procedures in the event a corporation was administratively dissolved for failure to file an annual registration report when the failure was due to the business owner's active military service. The Secretary of State will waive all late fees, cancel the certificate of dissolution, and reinstate the corporation in these circumstances. Annual registration report fees may still be due for the years in which no report was filed.

**SB 863 — VOLUNTEER FIRE PROTECTION ASSOCIATIONS**

This bill expands the definition of "volunteer fire protection association" to include municipal fire departments staffed by volunteers.

**SCS SB 870 — TRANSFER OF APPROPRIATION PAYMENTS**

This bill transfers the responsibility for certain payments from the Office of Administration to other state agencies. In its main provisions, the bill:

(1) Requires county sheriffs to file claims for services provided to certain offenders with the Department of Corrections;

(2) Requires the Missouri State Council on the Arts within the Department of Economic Development to distribute grants to public television stations;

(3) Requires single county circuit juvenile courts to file copies of their budgets with the Office of State Courts Administrator; and

(4) Requires the Department of Corrections to review and receive documentation regarding the payment for incarceration of prisoners as well as receive certain documentation regarding criminal court costs and fees.

The bill contains an emergency clause.

**SB 871 — POLICE RETIREMENT SYSTEM OF ST. LOUIS**

This bill changes the laws regarding the distribution of benefits for the Police Retirement System of St. Louis. In its main provisions, the bill:

(1) Requires, for calendar years beginning on or after January 1, 2003, that the required minimum distributions be made in accordance with the United States Treasury regulations under Section 401(a)(9) of the Internal Revenue Code of 1986, as amended;

(2) Requires the member's entire interest to be distributed or begin to be distributed no later than the member's required beginning date for receiving benefits;

(3) Specifies to whom and when distributions will be made if a member dies before distributions begin;

(4) Requires that distributions for calendar years 2003, 2004, and 2005 meet United States Treasury regulations if the payments satisfy Section 401(a)(9) of the Internal Revenue Code of 1986, as amended;

(5) Allows a member, upon termination of employment and actual service retirement, to request payment of his or her mandatory contributions to the retirement system without interest. Currently, this payment is made automatically;

(6) Prohibits the board of trustees from paying an eligible rollover distribution of \$5,000 or less to a member or retired member who has not attained age 62 unless the member consents in writing to receive the distribution in cash or to have the distribution directly rolled over in accordance with the provisions of the bill; and

(7) Requires that if any retroactive payment is made to a member or the member's beneficiary for any reason, a lump sum amount equal to the sum of the retroactive payments plus interest be paid.

**HCS SS SCS SB 872, 754 & 669 — SAFE OPERATION OF MOTOR VEHICLES**

This bill changes the laws regarding the safety of highway workers, emergency workers, and other motorists; child passenger restraints and safety belts; and chemical testing of intoxicated drivers.

**HIGHWAY WORK ZONE SAFETY**

The bill increases various penalties for offenses occurring within highway work zones or construction zones. Any person convicted of a second or subsequent moving violation within a work zone will be assessed a fine of \$75. A person convicted of speeding or passing a vehicle within a work zone when a highway worker is present a second or subsequent time will be assessed \$300 in addition to any other fines authorized by law. The crime of endangerment of a highway worker is created. If a person commits the crime but no injury or death results, the person will be subject to a fine of not more than \$1,000 and will have four points assessed against his or her driver's license. A person will be guilty of aggravated endangerment of a highway worker if a death or injury results. If a person injures or kills a highway worker in a work zone, he or she will be subject to a fine of not more than \$5,000 if there was an injury and not more than \$10,000 if a death resulted and will have 12 points assessed against his or her driver's license.

A person commits the crime of endangerment of a highway worker if the motorist:

(1) Exceeds the posted speed limit in a construction or work zone by 15 miles per hour or more;

(2) Passes another vehicle in a work zone causing the death or injury of a highway worker;

(3) Fails to stop for a work zone flagman or fails to obey traffic control signals erected in the work zone;

(4) Physically assaults or attempts to assault a highway worker with a motor vehicle or other instrument;

(5) Intentionally strikes or moves barrels, barriers, signs, or other devices erected to control the flow of traffic in a work zone for a reason other than avoidance of an obstacle, an emergency, or to protect the health and safety of another person; or

(6) Commits various offenses in which points may be assessed as specified in the bill.

**FAILURE TO YIELD (CLUTCH'S LAW)**

The bill imposes an additional penalty and driver's license suspension on any person failing to yield the right-of-way when the violation results in physical injury, serious physical injury, or death to a person.

**MOVE-OVER LAW**

The bill increases the penalty for failing to yield the right-of-way to an emergency vehicle from a class B misdemeanor to a class A misdemeanor. A person

commits the crime of involuntary manslaughter in the first degree if he or she fails to move over into another lane of traffic or slow down when he or she approaches a stationary emergency vehicle and with criminal negligence causes the death of an emergency worker. A violation will be a class B felony. A person commits the crime of assault in the second degree if he or she fails to move over into another lane of traffic or slow down when he or she approaches a stationary emergency vehicle and with criminal negligence causes injury to an emergency worker performing his or her official duties. A violation will be a class C felony.

#### **SCHOOL BUSES**

The penalties for motorists who fail to stop for school buses that are loading or unloading children are increased. Any person who fails to properly yield for a school bus and the failure results in the injury of any child will be guilty of a class D felony. Any person who fails to properly yield for a school bus causing the death of a child will be guilty of a class C felony.

#### **CHILD PASSENGER RESTRAINTS AND SAFETY BELTS**

The bill requires children of certain ages, weights, and heights to be restrained by either a child passenger restraint system, booster seat, or safety belt.

Children younger than four years of age, regardless of weight, are required to use an appropriate child passenger restraint system. Children weighing less than 40 pounds, regardless of age, are required to be secured in a child passenger restraint system appropriate for the child. Children who are four but less than eight years of age and who weigh at least 40 pounds but less than 80 pounds and are less than four feet nine inches tall must be secured in a child passenger restraint system or booster seat appropriate for the child. Children who weigh at least 80 pounds or children taller than four feet nine inches must be secured by a vehicle safety belt or booster seat appropriate for the child.

The bill allows a child to be transported in the back seat without a booster seat if the child is secured with a lap belt when the vehicle is not equipped with a combination lap and shoulder belt for booster seat installation.

A violation of the child passenger restraint/booster seat provisions will be an infraction with a fine up to \$50 plus court costs. The fine for violating the safety belt provision will be \$10. Charges for violating the child passenger restraint and booster seat provisions will be dismissed or withdrawn if the driver provides evidence prior to or at his or her hearing that he or she has acquired a child passenger restraint system or booster seat. The bill will not apply to public carriers for hire or students four years of age or older who are passengers on a school bus designed for carrying 11 passengers or more

and which is manufactured or equipped pursuant to Missouri's minimum standards for school buses.

The bill specifies that if there are more persons than there are seat belts in the enclosed area of a motor vehicle, the passengers who are unable to wear seat belts must sit in the area behind the front seat unless the vehicle is designed only for a front-seated area. Those passengers occupying the back seat location will not be in violation. This provision does not apply to passengers who are accompanying an intermediate driver's license holder. Currently, all passengers accompanying an intermediate driver's license holder must be properly restrained. The seat belt and child passenger restraint provisions of the bill will not be applicable to persons who have a medical reason for failing to have a seat belt fastened about their body or to persons operating or riding a motor vehicle being used in agricultural work-related activities.

#### **CHEMICAL TESTING OF INTOXICATED DRIVERS**

The Alan Woods Law is established which specifies that any state, county, or municipal law enforcement officer who has the power to arrest an individual for driving with excessive blood-alcohol content or driving while intoxicated and is certified under Missouri law will administer a chemical test to any person suspected of driving a motor vehicle involved in a collision which resulted in a fatality or serious physical injury.

A person who is tested will have the right to obtain full information concerning the test. Full information is limited to:

- (1) The type of test administered and the procedures followed;
- (2) The time the blood, breath, or urine sample was collected;
- (3) The numerical results of the test indicating the alcohol content of the blood, breath, and urine;
- (4) The type and status of any permit which was held by the person who performed the test; and
- (5) The date of the most recent required maintenance of any breath-testing instrument used.

Full information will not include manuals, schematics, or software of the instrument used to test the person, any other material that is not in the actual possession of the state, or information in the possession of the manufacturer of the test instrument.

The provisions in Section 304.351, RSMo, regarding failure to yield (Clutch's Law) become effective January 1, 2007.

#### **SB 881 — CONVEYANCE IN ST. FRANCOIS COUNTY**

This bill authorizes the Governor to convey state property located in St. Francois County to the City of Farmington.

**HCS SS SCS SB 892 — FINANCIAL INSTITUTIONS AND MISSOURI UNIFORM TRUST CODE**

This bill changes the laws regarding financial institutions and the Missouri Uniform Trust Code.

**FINANCIAL INSTITUTIONS**

The bill:

(1) Authorizes an income tax credit based on the pro rata share of corporate franchise tax paid by shareholders of S corporation savings and loan association holding companies and credit institutions;

(2) Prohibits industrial loan companies or industrial banks from establishing any deposit or loan production office or bank branch to conduct any banking business within the state;

(3) Requires a person seeking a repossession title to a motorboat, vessel, watercraft, or manufactured home to present a notice of lien receipt or the original certificate of ownership reflecting the holder's lien. The bill removes the requirement that the lienholder must present the original or photostatic copy of the security agreement and instead requires presentation of an affidavit that the lienholder has the written consent of all owners or lienholders of record to repossess the motorboat, vessel, watercraft, or manufactured home or has provided the parties with written notice of the repossession. The lienholder must give 10 days' written notice by first class mail to the owners and other lienholders;

(4) Increases the amount of a corporate surety bond that applicants for a license to sell travelers checks or money orders must have from \$25,000 to \$100,000. The bond will be used to secure the faithful performance of the obligations of the applicant and to pay the costs incurred by the Division of Finance within the Department of Economic Development to remedy any breach of the obligations of the applicant or to pay examination costs of the division that have not been paid. Upon license renewal, the bond amount will be either five times the highest outstanding balance or five times the greatest amount transmitted in a single day from the previous year with a minimum bond amount of \$100,000 and a maximum of \$1 million. The division director will be authorized to perform an examination of any person licensed under the bill if necessary; and

(5) Changes the reporting requirements of past due loan amounts that the board of directors of every bank and trust company must provide at their monthly meetings and allows lenders to accelerate maturity of an unpaid balance, take possession of the property, or enforce a security interest on a loan if a borrower has defaulted on a second mortgage three times.

**MISSOURI UNIFORM TRUST CODE**

The bill:

(1) Revises the statutes to reflect recent changes in the federal Uniform Trust Code by limiting a settlor's

ability to represent and bind beneficiaries in actions to amend or terminate trusts and adds a definition of "mandatory distribution";

(2) Changes cross references in the statutes to conform with the Missouri Prudent Investor Act;

(3) Prevents special needs trusts from being subject to termination by agreement of the settlor and beneficiaries;

(4) Protects discretionary interests in a trust from creditors;

(5) Dissolves the Doctrine of Worthier Title to prevent inadvertent disqualification of special needs trusts;

(6) Redefines "power of withdrawal";

(7) Modifies notice requirements for charitable beneficiaries; and

(8) Allows qualified beneficiaries to represent other beneficiaries in actions to modify trust administrative provisions.

**HCS SB 893 — FIRE PROTECTION DISTRICT TAXES**

This bill prohibits an ambulance or fire protection district from reducing the rate of the district's sales tax. Currently, the county collector is prohibited from reducing the district's sales tax.

Any city, town, village, county, or fire protection district in St. Louis County that has implemented an ambulance or fire protection district sales tax and which contracts with a joint central fire and emergency dispatching service is authorized to use those funds for expenditures on equipment and services, excluding salaries, wages, and benefits.

**CCS HCS SS SCS SB 894 — EDUCATION**

This bill changes the laws regarding education. In its main provisions, the bill:

(1) Requires school districts, except the St. Louis Special School District, that have a levy lower than the performance levy of \$3.43 to certify to the Department of Elementary and Secondary Education that they are providing an adequate education. If the district asserts it is not providing an adequate education, the presumption is that insufficient local effort is causing the inadequacy (Section 163.021, RSMo);

(2) Revises the summer school penalty to a three-step phase-out, with the 2006-2007 threshold at 20%, 2007-2008 at 30%, and subsequent years until 2011-2012 at 35%. The penalty will be applied to any drop in summer school enrollment over the threshold level, rather than the entire drop from the base year 2005-2006 level. Small schools, as defined in the bill, are exempt from the penalty, and the penalty should not be construed to lower the amount of a hold-harmless payment. Summer school hours in physical education classes for grades 9 to 12 that do not count for graduation cannot be

counted for summer school average daily attendance. The formula adjustment for local effort is revised to reflect decreases in local revenue from the possible creation of a municipal court in St. Charles County on school districts located entirely within that county (Sections 163.011 and 163.031);

(3) Requires districts to adopt anti-bullying policies containing elements specified in the bill. The bill defines “bullying” and prohibits the listing of protected classes of students (Section 160.775);

(4) Requires the department to initiate a ready to work certificate for high school seniors who volunteer to meet standards that indicate they are ready for entry-level employment (Section 1);

(5) Establishes procedures for the City of St. Louis School District to report excessive absences, as defined in the bill, to the Children’s Division within the Department of Social Services for parental notification (Section 2); and

(6) Allows the State Board of Education to declare a district unaccredited if the district has been unaccredited within the last five years, achieved provisional accreditation, and goes back to unaccredited status. The lapse of the district will occur on June 30 or at a later date, as specified by the board. This provision becomes effective January 1, 2010 (Section 3).

#### **SB 900 — DEAF AND HARD OF HEARING FUND**

This bill removes the requirement that certain moneys in the Missouri Commission for the Deaf and Hard of Hearing Fund will revert to the credit of the General Revenue Fund.

#### **SS SCS SB 912 — VIRTUAL PUBLIC SCHOOL**

This bill requires the State Board of Education to establish a virtual public school by July 1, 2007. Any student in kindergarten through grade 12 may enroll, regardless of where the student lives within the state. For purposes of state school aid, the student will be considered as part of the enrollment of the district in which he or she physically resides if the parent chooses. The virtual public school will report aid-related data to the district of residence. A full-time equivalent student is one who completes six credits per regular term, and each virtual course will count as one class. The school district will retain 15% of the state aid for enrollees under Section 163.031, RSMo, related to the funding formula, and Section 163.043, related to the Classroom Trust Fund, attributable to the student. The virtual public school will receive 85% of the state adequacy target attributable to the student. The virtual public school must comply with all laws applicable to school districts including the state accreditation program, adequate yearly progress, annual performance report, teacher

certification, and curriculum standards. The Department of Elementary and Secondary Education must ensure that multiple providers are available from whom the curriculum may be obtained.

#### **SB 919 — CONCEALED WEAPONS AND VAGRANT LABOR**

This bill removes the provision allowing the city council of any third class city to prohibit the carrying of concealed weapons.

The authority to use vagrants found within the city for labor is also repealed.

#### **SB 931 — TRANSPORTATION DEVELOPMENT DISTRICTS**

This bill gives property owners one vote per acre when electing a director for a transportation development district. Currently, qualified voters get only one vote regardless of how much property they own.

#### **CCS#2 HCS SCS SB 932 — COUNTY OFFICIALS**

This bill changes the laws regarding political subdivisions. In its main provisions, the bill:

(1) Allows a county commission to reject the transfer of title of real property to the county by donation or dedication if it is in the best interest of the county to do so. The preparer of a document donating or dedicating real property to a county cannot submit the document for recording unless the grantee’s acceptance is proved or acknowledged (Section 49.292, RSMo);

(2) Establishes the salary schedule for public administrators in second, third, and fourth classification counties who choose to be paid by salary and who are considered full-time county officials as the base schedule for those officials, unless the current salary is lower than the compensation in the schedule (Section 50.327);

(3) Authorizes the salary commission in Cape Girardeau County to meet to determine whether to equalize the base salaries of the treasurer and public administrator with the base salaries of the auditor and recorder of deeds (Section 50.339);

(4) Requires all noncharter counties to mail property tax statements and receipts to taxpayers at least 30 days before being due. Currently, statements are required to be mailed at least 15 days before the due date (Section 52.230);

(5) Adds new requirements for candidates seeking the office of county treasurer (Section 54.040);

(6) Allows sensitive personal identifying information, including Social Security numbers, contained in recordable documents to be redacted or removed by

the preparer of the document or the recorder of deeds (Sections 59.331 and 59.332);

(7) Allows county commissions, at their discretion, to open a county road and conclusively establishes the status as a public road of any county road for which the county has received county aid road trust funds for at least five years after January 1, 1990. The county highway engineer is no longer required to examine and approve a road or road change before the county commission takes action on the road (Sections 228.040, 228.070, and 228.190); and

(8) Makes any term or provision in a contract unenforceable if it requires a public administrator who is acting as a guardian to personally pay or guarantee the debt of a ward or protectee (Section 473.748).

### **SB 933 — RAILROAD POLICEMEN**

This bill transfers the authority to appoint railroad policemen from the Superintendent of the State Highway Patrol to the Director of the Department of Public Safety.

### **SCS SB 934 — BARBER SHOP LICENSES**

This bill allows a 45-day grace period for obtaining a new sanitary license when a barber shop changes ownership or location. During this period, inspections will be conducted without requiring the business to close or deviate from its regular hours of operation.

### **SB 936 — COUNTY LIBRARY DISTRICTS**

This bill increases the bonding limits for county library districts from 1% to 5% of the value of taxable, tangible property within the district.

### **SB 964 — APPOINTMENT AND DUTIES OF ASSISTANT ADJUTANTS GENERAL**

This bill allows general officers federally recognized in the grade of major general to be reassigned as a state assistant adjutant general without changing his or her grade or branch.

Currently, the Adjutant General may assign a third assistant adjutant general in the grade of major general or below from Missouri's air forces. The bill removes this provision and requires that a person have 10 years of military service as a commissioned officer instead of four, with five of the 10 years as field grade service, before his or her appointment to assistant adjutant general. The bill specifies that assistant adjutants general serve at the pleasure of the Adjutant General.

### **SB 974 — MENTAL HEALTH SERVICES**

Beginning November 1, 2007, this bill extends from November 1, 2003, to November 1 of each year the date by which the Department of Mental Health has to develop a plan for persons on the waiting list for services.

### **HCS SB 980 — NURSING AND TEACHING SCHOLARSHIPS**

This bill changes the laws regarding the Nursing Student Loan Repayment Program. "Eligible student" is defined as a person who has been accepted as a full-time nursing student, rather than a person who has applied for admission. Currently, 25% of the loan is forgiven for each year of employment. The bill revises the repayment provision to allow forgiveness through employment without a specific schedule.

The bill also establishes the Urban Flight and Rural Needs Scholarship Program for up to 100 college education students who meet the grade point requirement and agree to teach in certain school districts. The scholarship may also be granted to certain community college students or individuals who have completed a bachelor's degree and make a commitment to pursue a career in teaching. The scholarship covers up to four years of tuition and fees at a Missouri college or university and is forgiven at a rate of one year of scholarship for every two years of teaching; otherwise, the scholarship is converted to a loan which is to be repaid at 9.5% interest a year. The Department of Elementary and Secondary Education will administer the program and provide 75% of the scholarship amount, subject to appropriations. The school district with which the recipient contracts will provide the remaining 25%. The department may defer interest under certain conditions and may sell the loan to the Missouri Higher Education Loan Authority (MOHELA).

The Urban Flight and Rural Needs Scholarship Program Fund is created and will consist of all moneys appropriated, gifts, contributions, grants, or bequests which are to be used solely for awarding scholarships under this program.

### **HCS SB 981 — STATE HIGHWAY PATROL**

This bill allows the Superintendent of the State Highway Patrol to establish guidelines under which members of the patrol may accept secondary employment.

### **SB 990 — MEMORIAL HIGHWAYS**

This bill designates a portion of State Highway 179 in Cole County between State Route C and U. S. Highway 54 as the “Wyman S. Basinger Memorial Highway” and a portion of State Highway H in Dent County from the intersection of State Highway 72 to the intersection of State Highway DD as the “Deputy Joann Barnes Memorial Highway.”

### **CCS HCS SCS SB 1001, 896 & 761 — DRIVERS' LICENSES**

This bill changes the laws regarding the licensure of certain motor vehicle drivers.

#### **LAWFUL PRESENCE**

Applicants for a noncommercial driver's license who are 65 years of age or older and who were previously issued a Missouri driver's license, instruction permit, or nondriver's license will be exempt from showing proof of lawful presence. Any person who is not 65 years of age and does not have the required documents to prove lawful presence may be issued a one-year driver's license renewal. The renewal will only be issued to an applicant who has previously held a Missouri noncommercial driver's license, noncommercial instruction permit, or a nondriver's license for a period of 15 years or more and does not have the required documents to prove lawful presence. No further renewal will be issued without producing proof of lawful presence.

#### **OUT-OF-SERVICE ORDERS**

The Highways and Transportation Commission is allowed to suspend, revoke, or cancel the registration, license, permit, or other credentials issued to a motor carrier if a federal agency or the commission has issued an out-of-service order against the motor carrier. The law is applicable to out-of-service orders placing a motor carrier's entire operation out of service but does not apply to orders placing an individual driver or vehicle out of service.

If the commission issues an order, the motor carrier must not operate any commercial motor vehicle or allow an employee to operate any commercial motor vehicle in intrastate or interstate commerce. After the commission has issued an order, the motor carrier must surrender all license plates, motor carrier licenses, registrations, permits, and other credentials. After the commission has issued an order, the out-of-state motor carrier will not be eligible to apply for the issuance or reinstatement of any license, registration, permit, certificate, or other credentials until the out-of-service order has been rescinded or the orders have been set aside by a court of proper jurisdiction.

Any federal or state order will be admissible in administrative and court proceedings, and the orders will constitute prima facie evidence that the motor carrier violated federal regulations or that the motor carrier's operation of commercial motor vehicles poses an imminent hazard. The bill also changes the laws regarding the right to seek judicial review, law enforcement powers, and liability regarding an out-of-service order.

#### **INTERMEDIATE DRIVER'S LICENSES**

Beginning January 1, 2007, parents or legal guardians of applicants for a temporary instruction permit will be required to provide 40 hours of behind-the-wheel driving instruction including a minimum of 10 hours during the nighttime hours. Currently, only 20 hours are required.

For the first six months after the issuance of an intermediate driver's license, the driver cannot operate a vehicle with more than one passenger younger than 19 years of age who is not a member of the driver's immediate family. After the first six-month time period, the driver must not operate a vehicle with more than three passengers younger than 19 years of age who are not members of the driver's immediate family until he or she receives a full driver's license.

An intermediate driver's licensee will have 30 days before his or her eighteenth birthday to apply for and receive without further examination full driving privileges if he or she has had a clean record as specified in the bill for the preceding 12 months.

Any person who violates the provisions regarding intermediate drivers' licenses or temporary permits will be guilty of an infraction, but no points will be assessed against his or her driving record.

#### **THIRD-PARTY TESTING**

Beginning August 28, 2006, the Director of the Department of Revenue will only issue or renew third-party tester certification to junior or community colleges; private companies who own, lease, or maintain their own fleet and administer in-house testing to their employees; or school districts and their agents that administer in-house testing to their employees.

The provisions regarding lawful presence contain an emergency clause.

### **HCS SB 1002 — DRAINAGE DISTRICTS**

This bill authorizes drainage district boards to impose an annual processing fee for assessed tracts when the board determines that the costs of preparing and processing the district's maintenance tax statement exceed the amount of taxes imposed. The fee will be set by the board at the district's annual maintenance tax hearing.

**SCS#2 SB 1003 — CONVEYANCES OF STATE PROPERTY**

This bill authorizes the Governor to convey state property located in St. Louis, Lincoln, Cole, Greene, St. Francois, Jackson, and Stoddard counties and the City of St. Louis.

The bill contains an emergency clause.

**SCS SB 1008 — GOVERNOR'S ADVISORY COUNCIL ON AGRICULTURAL SCIENCE AND TECHNOLOGY**

This bill establishes the Governor's Advisory Council on Agricultural Science and Technology consisting of seven members appointed by the Governor. The council will be required to:

- (1) Apprise the Governor of new developments in agricultural science and technology and forestry technology;
- (2) Identify the state's long-term needs regarding agricultural science and technology;
- (3) Provide scientific inquiry into regulatory matters upon request by the Governor; and
- (4) Identify potential economic opportunities for the state in the plant biotechnology industry.

**CCS#2 HCS SS#2 SCS SB 1014 & 730 — ELECTIONS**

This bill establishes the Missouri Voter Protection Act which changes the laws regarding elections. In its main provisions, the bill:

- (1) Specifies that for elections held on or before November 1, 2008, all eligible voters may cast a provisional ballot if they fail to meet the documentation or photographic identification requirements to cast a regular ballot. In order to vote a provisional ballot, a person must sign an affidavit and provide any state-issued identification, voter identification card, any identification issued by the United States, educational institution identification, non-Missouri driver's license, or other specified types of bills and documents. The provisional ballots will be confirmed by signature matching;
- (2) Requires that for any election after November 1, 2008, voters must establish their identity prior to voting by providing a nonexpired Missouri driver's license; a Missouri nondriver's license; certain specified documents; or photographic identification, without an expiration date, that is issued to members of the Missouri National Guard, the United States armed forces, or by the Veterans' Administration. A voter may cast a provisional ballot, but it will only count if he or she returns to the polling site with the appropriate identification during the election period;
- (3) Specifies that for all elections any person who has a physical or mental disability, has a religious belief

forbidding the use of photographic identification, or was born on or before January 1, 1941, may vote a provisional ballot upon signing an affidavit as specified in Section 115.427, RSMo;

(4) Requires that nondriver's licenses be provided free of charge to any eligible voter who lacks other means of identification. Mobile units will assist with issuing the nondriver's licenses, and the Director of the Department of Revenue will provide a report to the General Assembly on the number of nondriver's licenses issued for voting purposes and the reason for denying any request;

(5) Requires the Secretary of State to provide notice of the new voter requirements through major communications media such as radio, television, the Internet, and printed publications;

(6) Specifies that absentee ballots will not be mailed to voters who register by mail until they have voted in person or provided the newly required documentation or photographic identification to vote a regular ballot. Exceptions are allowed based on federal laws;

(7) Requires election authorities to create a list of legally registered voters using the process specified in Section 115.158. Precinct binders based on identification by election judges will no longer be sufficient for voter identification lists. Voter notification cards with the new photographic identification requirements will be mailed to registered voters;

(8) Specifies that challenges to the legitimacy of voter identification may be made only to election judges and election authorities as specified in Section 115.105;

(9) Provides the criteria for holding elections after natural or man-made disasters and authorizes three-judge panels formed by appellate court judges to allow the rescheduling of elections and to oversee elections. Appeals to the Missouri Supreme Court are allowed;

(10) Requires individuals registering more than 10 persons as new voters to register with the Secretary of State as voter registration solicitors. The process and requirements for registration are specified. Solicitors cannot be paid by the quantity of voters registered or the number of applications submitted, but the bill does not prohibit an hourly compensation. Failure to register will be a class three election offense;

(11) Specifies detailed criteria for counting different types of punch cards and optical scan ballots to help resolve disputes over how election authorities should judge ballots;

(12) Removes the ability to vote a straight party ticket;

(13) Gives election authorities in St. Charles County discretion on the number of ballots they print for elections. All other counties will be required to print a ratio of one and one-third times the number of ballots used in the specified types of previous elections held in those counties;



(14) Requires elections to be held for the board of trustees for community college districts even if the number of candidates is equal to the number of vacancies;

(15) Prohibits state courts from extending polling hours past those established by state law;

(16) Creates two new class one election offenses:

(a) Engaging in any acts of violence, destruction of property worth \$500 or more, or threats of violence with the intent of interfering with the right to vote; and

(b) Knowingly providing false information about election procedures for the purpose of preventing voting;

(17) Allows minor children to accompany their parents, grandparents, or guardians into a voting booth;

(18) Removes the ability to vote an advance ballot; and

(19) Removes the ability for voters to challenge the removal of their names from registration lists in circuit court.

The provision regarding the issuance of a nondriver's license at no charge contains an emergency clause.

#### **SB 1016 — COUNTY TAX RATE DEADLINE**

This bill changes the deadline for a county commission to set the annual tax rate from August 10 to September 20.

The bill contains an emergency clause.

#### **CCS HCS SB 1017 — AGRICULTURAL PROGRAMS**

Currently, the Department of Health and Senior Services and the Department of Agriculture are responsible for ensuring appropriate and effective enforcement of the state milk standards based on an annual official rating survey. This bill replaces the state agencies with the State Milk Board as the official rating agency and requires that the surveys be conducted at least biannually.

The bill establishes the Family Farms Act which will allow small farmers who have obtained a loan for the purchase of breeding livestock a waiver of the interest payments for the first year. A small farmer will be eligible for one family farm loan, and the loan proceeds must be spent on one type of livestock. The maximum amount of a loan will be:

- (1) \$75,000 for beef cattle;
- (2) \$75,000 for dairy cattle;
- (3) \$35,000 for swine; and
- (4) \$30,000 for sheep and goats.

The Agricultural and Small Business Development Authority will administer the program and may charge a one-time fee of 1% of the loan amount. The bill will

allow a lender to apply to the authority for a tax credit in an amount equal to the amount of interest which would have otherwise been paid in the first year by the small farmer. Upon approval, the authority will issue a tax credit for taxes otherwise due in the year the credit was issued. The credit may be used to satisfy quarterly tax obligations, and any unused portion may be carried forward up to three years. The maximum amount of tax credits that can be issued in a year is \$150,000.

The bill contains small farmer qualification requirements and specifies the duties of the authority in administering the program.

The per-employee maximum amount of a loan under the Linked Deposit Program that an eligible job enhancement business may borrow from an eligible lending institution is raised from \$25,000 to \$50,000.

#### **SB 1020 — FUEL STORAGE TANKS**

This bill requires anyone who manufactures, installs, or repairs fuel storage tanks or piping for the tanks to maintain evidence of financial responsibility of \$1 million per occurrence and \$2 million in the aggregate to cover the costs of corrective action after a fuel release. The evidence of financial responsibility must be submitted annually to the Department of Agriculture.

#### **HCS SB 1023 — DNA PROFILING ANALYSIS**

This bill defines "central repository" and "forensic DNA analysis" and allows a person who is determined to be actually innocent of a crime to receive \$50 for each day of post-conviction incarceration and an automatic expungement of any records concerning the crime for which the person was innocent.

The bill also extends the expiration date on criminal court surcharges from August 28, 2006, to August 28, 2013.

#### **SCS SB 1026 — VETERANS' PROGRAMS**

Currently, the Executive Director of the Missouri Veterans Commission approves and administers veterans' programs in which the historical significance of veterans' service can be dedicated to outreach and education inside public schools, veteran cemeteries, veteran homes, and other institutions. The Veterans' Historical Education Trust Fund finances these programs and is administered by the commission. This bill transfers the administration of these programs and the fund to the Lieutenant Governor.

**HCS SB 1045 — ADVERSE POSSESSION**

This bill makes the statute of limitations not applicable to actions involving lands granted or appropriated for any public, pious, or charitable use or to any lands belonging to the state and prohibits a claimant from adversely possessing any interest in land held by a public utility.

**SB 1056 — COMMUNITY IMPROVEMENT DISTRICT SALES TAX**

Currently, a community improvement district may, by resolution, impose a sales tax at a rate of one-eighth, one-fourth, three-eighths, or one-half of 1% or 1%. This bill allows the sales tax to be imposed in increments of one-eighth of 1%, up to a maximum of 1%.

**SB 1057 — LIENS OF HEALTH CARE PROFESSIONALS**

This bill adds physical therapists to the definition of “health practitioner” as it relates to liens for patients whose sickness or injury was caused by a tortfeasor.

**SCS SB 1059 — MEMORIAL HIGHWAY**

This bill designates a portion of Interstate 55 in St. Louis County between Butler Hill Road and Meramec Bottom Road as the “Officer Thomas G. Smith, Jr. Memorial Highway.” All signage costs will be paid by private donations.

**SCS SB 1060 — CONTRIBUTION DESIGNATIONS ON STATE INCOME TAX RETURN FORMS**

This bill requires that the contribution checkoff box for donations to the Missouri Military Family Relief Fund be on the first page of all state income tax return forms.

**SS SB 1066 — TELECOMMUNICATIONS COMPANIES**

This bill allows telecommunications companies, subject to price cap regulations, to request a waiver from the Missouri Public Service Commission for rate reductions that are currently mandated based on decreases in the telephone service component of the federal Consumer Price Index. When the index is negative for the previous 12 months, companies may request that the current mandatory rate reduction be waived and the resulting savings be used for new projects including the expansion of calling scopes in rural areas.

**SCS SB 1084 — HEALTH CARE FOR UNINSURED CHILDREN**

This bill extends the expiration date of the Children’s Health Insurance Program (CHIPs) established by the Department of Social Services to pay for health care for uninsured children from July 1, 2007, to June 30, 2008.

The expiration date of the financial assistance for the Consumer-directed Personal Care Services Program is extended from June 30, 2006, to June 30, 2008.

The bill contains an emergency clause.

**HCS SCS SB 1086 — POLICE OFFICER COMPENSATION**

This bill eliminates the compensation table for St. Louis police officers and allows the St. Louis Board of Police Commissioners to establish the annual salary of each member of the police force without receiving prior authorization from the General Assembly.

The bill contains an emergency clause.

**SB 1094 — SPECIAL BUSINESS DISTRICTS IN SPRINGFIELD**

This bill allows the City of Springfield to dissolve special business districts. Any proceeds from the disposal of the assets of a district must be used by the city for the purposes of the district within the former district’s boundaries.

**SCS SB 1117 — MISSOURI Rx PLAN ADVISORY COMMISSION**

This bill transfers the Missouri Rx Plan Advisory Commission from the Department of Health and Senior Services to the Department of Social Services. The provision regarding the denial of eligibility to individuals enrolled in a Medicare Advantage Plan is removed.

**HCS SCS SB 1122 — CONVEYANCE OF HIGHER EDUCATION INSTITUTION PROPERTY**

This bill allows governing boards of certain state universities to convey or transfer, except in fee simple, the title or any other interest in the property without authorization from the General Assembly. Currently, the General Assembly’s authorization is required.

The provisions of the bill expire August 28, 2011.

**SB 1139 — MEMORIAL HIGHWAY**

This bill designates the portion of State Highway 21 from the intersection of Lindbergh Avenue to the intersection of Gravois Road in St. Louis County as the "Sergeant William McEntee Memorial Highway." The Department of Transportation must erect and maintain appropriate signage with the costs paid by Kirkwood police officers.

**SB 1146 — ADMINISTRATIVE HEARING AND REVIEW**

This bill allows for the independent review of an agency's decision by an agency board other than the Administrative Hearing Commission. The aggrieved party may, within 30 days after the party receives notice of the agency's decision, waive the independent review by the agency board and file a petition in circuit court for the de novo review of the agency's decision.

**SB 1155 — TECHNICAL ADVISORY COMMITTEE ON THE QUALITY OF PATIENT CARE AND NURSING PRACTICES**

This bill extends the expiration date for the Technical Advisory Committee on the Quality of Patient Care and Nursing Practices within the Department of Health and Senior Services from December 31, 2006, to December 31, 2011.

**HCS SB 1165 — WATER POLLUTION CONTROL FEES**

This bill extends the expiration date in Section 644.054, RSMo, from December 31, 2007, until December 31, 2009, for certain waste treatment and disposal fees authorized in Sections 644.052 and 644.053, which are collected by the Clean Water Commission.

The President Pro Tem of the Senate and the Speaker of the House of Representatives are required to appoint members to a joint committee that will consider the restructuring of the water pollution control fees. The committee must submit a report by December 31, 2008, to the Governor, House of Representatives, and Senate with recommendations on funding the implementation of the federal Clean Water Program, storm water, and related state clean water responsibilities.

**SB 1177 — LOCAL REGISTRARS**

This bill allows the State Registrar within the Department of Health and Senior Services to appoint a person employed by a city health agency as a local registrar.

**SB 1189 — HOLOCAUST EDUCATION AND AWARENESS COMMISSION**

This bill establishes the Holocaust Education and Awareness Commission within the Department of Elementary and Secondary Education to promote holocaust education and awareness programs. The bill specifies the membership of the 12-member commission appointed by the Governor with the advice and consent of the Senate.

**SB 1197 — DONATING BLOOD**

This bill allows any person who is 16 years of age to donate blood if written permission or authorization is obtained from his or her parent or guardian.

**SB 1207 — COUNTY SALES TAX REVENUE**

This bill requires that 75% of the general county sales tax revenue in New Madrid County be distributed to the county and the remaining 25% be distributed equally among the incorporated cities, towns, and villages of the county. Currently, all the revenue goes to the county.

**SB 1208 — ARTICLES OF INCORPORATION FOR CORPORATIONS**

This bill allows a company's board of directors to present a resolution directly to its shareholders without prior adoption by the board of directors.

**SB 1216 — TRAVEL CLUBS**

Currently, if an individual wants to rescind a transaction with a travel club, he or she must deliver to the club a written statement by certified mail with a return receipt request within three business days. A person who exercises his or her right of rescission will receive a full refund, minus the amount of services actually used. This bill allows the person to send the written statement by first class mail postmarked within three business days and the full amount will be refunded, minus the actual and reasonable cost of processing the refund, including any credit card fees.

**HCS SS SCS SB 1229 — TAX CREDIT FOR CHILDREN IN CRISIS**

This bill authorizes an income tax credit for up to 50% of contributions made to a child advocacy center, a crisis care center, or an entity which receives funding from the Court Appointed Special Advocate Fund. To receive the credit, donations must be at least \$100, and the qualified agency receiving the contribution will

issue a contribution verification to the taxpayer to be attached to his or her income tax return.

In order to become a qualified agency, each year prior to December 31, an agency must apply to the Department of Social Services to verify its status. By February 1 of each year, the department will provide a list of qualified agencies to the Department of Revenue.

The children in crisis tax credit has a cumulative cap equal to the unclaimed portion of the resident adoption tax credit. The amount available will be equally divided among the agencies, and any unused portion not used by an agency will be available to the remaining agencies. After all the children in crisis tax credits have been claimed, any remaining unclaimed portion of the reserved allocation will be made available for nonresident special needs adoption tax credit claims. The bill allocates \$2 million of the tax credits for the adoption of special needs children who are residents of this state. The cumulative amount of tax credits that may be claimed for nonrecurring adoption expenses will not be less than \$4 million but may be increased by appropriation.

The bill removes the requirement that the Director of the Department of Revenue submit an annual report to the General Assembly on the income levels of taxpayers claiming the tax credit.

Applications for the adoption credit for special needs children must be filed between July 1 and April 15 of each fiscal year. The credit is not refundable, but can be carried forward and claimed for up to five consecutive years.

The provisions of the bill will expire six years from the effective date.

## **SJR 26 — TAXATION OF VETERANS' ORGANIZATIONS**

This proposed constitutional amendment exempts, upon voter approval, the property of any veterans' organization from taxation.



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 CCS HCS SCS SB 616 — Assisted Living Facilities  
 SB 828 — Dental Hygiene Services  
 HCS SB 834 — Special Education  
 SB 900 — Deaf and Hard of Hearing Fund  
 CCS#2 HCS SS#2 SCS SB 1014 & 730 — Elections

**DRAINAGE AND LEVEE DISTRICTS***See also Water Resources and Water Districts*

HCS SB 1002 — Drainage Districts

**DRUGS AND CONTROLLED SUBSTANCES**

SS#2 SCS HCS HB 1456 — Employment Security

**DRUNK DRIVING/BOATING***See also Alcohol*

HCS SS SCS SB 872, 754 & 669 — Safe Operation of Motor Vehicles

**ECONOMIC DEVELOPMENT**

HB 1688 — Economic Activity Tax Revenues  
 SCS SB 580 — Coordinating Educational and Economic Policy  
 SB 645 — Business Use Incentives for Large-scale Development  
 SCS SB 1008 — Governor's Advisory Council on Agricultural Science and Technology

**ECONOMIC DEVELOPMENT DEPARTMENT**

SCS HCS HB 1787 — Guard at Home Program  
 CCS SS SCS HCS HB 1944 — Eminent Domain  
 SCS SB 580 — Coordinating Educational and Economic Policy  
 SCS SB 870 — Transfer of Appropriation Payments  
 HCS SS SCS SB 892 — Financial Institutions and Missouri Uniform Trust Code

**EDUCATION, ELEMENTARY AND SECONDARY***See also Teachers*

HCS HB 1180 — School Transportation  
 HCS HB 1182 — Jurisdiction of Juvenile Courts  
 HB 1245 — School Nurses  
 HCS HB 1511 — Early Childhood Education  
 CCS SS SCS HCS HB 1698, 1236, 995, 1362 & 1290 — Sexual Offenders  
 HB 1732 — Self-administered Medications by Students  
 SB 558 — Experimental Tariffs of Gas Corporations  
 SCS SB 580 — Coordinating Educational and Economic Policy  
 HCS SS#2 SCS SB 583 — Vehicle Emissions Inspection Program  
 SCS SB 751 — Public School Property  
 HCS SCS SB 769 — Fiscal and Other Authorizations for Certain School Districts



HCS SB 834 — Special Education  
 HCS SS SCS SB 872, 754 & 669 — Safe Operation of Motor Vehicles  
 CCS HCS SS SCS SB 894 — Education  
 SS SCS SB 912 — Virtual Public School  
 CCS HCS SCS SB 1001, 896 & 761 — Drivers' Licenses

#### **EDUCATION, HIGHER**

HB 1234 — Nursing Student Loan Repayment Program  
 SCS SB 580 — Coordinating Educational and Economic Policy  
 SB 641 — Missouri Higher Education Savings Program  
 SCS SB 650 — Missouri State University  
 SCS SB 701 & 948 — National Guard Member Educational Assistance Grants  
 HCS SB 725 — Alcoholic Beverages  
 HCS SB 980 — Nursing and Teaching Scholarships  
 CCS HCS SCS SB 1001, 896 & 761 — Drivers' Licenses  
 CCS#2 HCS SS#2 SCS SB 1014 & 730 — Elections; Community College Districts  
 HCS SCS SB 1122 — Conveyance of Higher Education Institution Property

#### **ELDERLY**

*See also Guardians*  
 CCS HCS SCS SB 616 — Assisted Living Facilities  
 CCS HCS SCS SB 1001, 896 & 761 — Drivers' Licenses  
 CCS#2 HCS SS#2 SCS SB 1014 & 730 — Elections  
 SCS SB 1117 — Missouri Rx Plan Advisory Commission

#### **ELECTIONS**

*See also Campaign Finance*  
 SCS HCS HB 977 — Election of Municipal Officers  
 CCS#2 HCS SS#2 SCS SB 1014 & 730 — Elections

#### **ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT**

HCS HB 1511 — Early Childhood Education  
 SCS SB 580 — Coordinating Educational and Economic Policy  
 CCS HCS SS SCS SB 894 — Education  
 HCS SB 980 — Nursing and Teaching Scholarships  
 SB 1189 — Holocaust Education and Awareness Commission

#### **EMBLEMS**

SCS HCS HB 978 — Vietnam War Medallion Program  
 HB 983 — Display of Flags  
 HB 984 — Display of the POW/MIA Flag

#### **EMERGENCIES**

*See also Ambulances and Ambulance Districts*  
 HB 1222 — Special Deputy Coroners  
 SCS HB 1509 — Division of Fire Safety  
 SCS HB 1601 — Emergency Medical Treatment  
 HCS SCS SB 765 — Emergency Medical Treatment  
 HCS SS SCS SB 872, 754 & 669 — Safe Operation of Motor Vehicles  
 CCS#2 HCS SS#2 SCS SB 1014 & 730 — Elections

#### **EMINENT DOMAIN AND CONDEMNATION**

SCS HCS HB 1380 — Missouri Public-Private Partnerships Transportation Act  
 CCS SS SCS HCS HB 1944 — Eminent Domain

#### **EMPLOYEES - EMPLOYERS**

HB 1393 — State Highway Patrol  
 SS#2 SCS HCS HB 1456 — Employment Security  
 SCS HCS HB 1787 — Guard at Home Program  
 HCS SB 981 — State Highway Patrol

#### **EMPLOYMENT SECURITY**

SS#2 SCS HCS HB 1456 — Employment Security

#### **ENERGY**

*See also Motor Fuel; Utilities*  
 CCS SCS HCS HB 1270 & 1027 — Missouri Renewable Fuel Standard Act

#### **ENGINEERS**

HB 1494 — Licensing of Engineers and Land Surveyors  
 HCS SB 819 — Licensing of Engineers and Land Surveyors

#### **ENTERTAINMENT, SPORTS, AND AMUSEMENTS**

*See also Parks and Recreation*  
 SCS#2 HCS HB 1149 — Regulation of Water; Stadium Restroom Requirements  
 HB 1688 — Economic Activity Tax Revenues  
 HCS HB 1759 — Athletic Trainers  
 CCS HCS SCS SB 756 — Professional Registration; Athletic Trainers

#### **ENVIRONMENTAL PROTECTION**

SCS#2 HCS HB 1149 — Regulation of Water  
 CCS SCS HCS HB 1270 & 1027 — Missouri Renewable Fuel Standard Act  
 SCS HB 1437 — Poison and Radiation Control  
 HCS SS#2 SCS SB 583 — Vehicle Emissions Inspection Program  
 SB 677 — Radiation Control  
 HCS SB 1165 — Water Pollution Control Fees

#### **ESTATES, WILLS, AND TRUSTS**

HCS SS SCS SB 892 — Financial Institutions and Missouri Uniform Trust Code

#### **ETHICS**

*See also Lobbying*  
 CCS SS HCS HB 1900 — Ethics

#### **EVIDENCE**

*See also Criminal Procedure; Search and Seizure*  
 HCS SB 1023 — DNA Profiling Analysis

#### **FAMILY LAW**

*See also Children and Minors*  
 SB 618 — Child Support Payments

**FEES**

SCS#2 HCS HB 1149 — Regulation of Water  
 SCS HCS HB 1382 & 1158 — Special License Plates  
 HCS SS#2 SCS SB 583 — Vehicle Emissions Inspection Program  
 SB 778 — Watercraft Registration Fees  
 HCS SB 840 — Highways and Bridges  
 HCS SB 1002 — Drainage Districts  
 CCS HCS SB 1017 — Agricultural Programs  
 HCS SB 1023 — DNA Profiling Analysis  
 HCS SB 1165 — Water Pollution Control Fees

**FIRE PROTECTION**

HCS HB 1344 — Firemen's Retirement System of St. Louis  
 SCS HB 1509 — Division of Fire Safety  
 SB 648 — Fire Regulations for Mental Health Facilities  
 SB 863 — Volunteer Fire Protection Associations  
 HCS SB 893 — Fire Protection District Taxes

**FUNERALS AND FUNERAL DIRECTORS**

SS SCS HCS HB 1026 — Funeral Protests  
 SCS SB 578 — Funeral Protests

**GAMBLING**

SB 561 — Excursion Gambling Boat Admission Fee Revenue

**GENERAL ASSEMBLY**

CCS SS HCS HB 1900 — Ethics  
 SS SCS SB 718 — Issuance of State Loans

**GOVERNOR AND LT. GOVERNOR**

CCS SCS HCS HB 1270 & 1027 — Missouri Renewable Fuel Standard Act  
 SCS SB 1008 — Governor's Advisory Council on Agricultural Science and Technology  
 SCS SB 1026 — Veterans' Programs

**GUARDIANS**

*See also Children and Minors; Disabilities; Elderly*  
 CCS#2 HCS SCS SB 932 — County Officials

**HEALTH CARE**

*See also Insurance; Medical; Medical Procedures and Personnel*  
 SCS HCS HB 1440 — Income Tax; Checkoff for Cervical Cancer Awareness  
 SB 822 — Health Care Provider Tax  
 SCS SB 1084 — Health Care for Uninsured Children  
 SB 1155 — Technical Advisory Committee on the Quality of Patient Care and Nursing Practices  
 SB 1197 — Donating Blood

**HEALTH CARE PROFESSIONALS**

*See also Licenses-Professional; see also individual professions*  
 CCS HCS SCS SB 756 — Professional Registration  
 SB 1057 — Liens of Health Care Professionals

**HEALTH DEPARTMENT**

SCS HB 1437 — Poison and Radiation Control  
 SCS HCS HB 1440 — Income Tax; Checkoff for Cervical Cancer Awareness  
 CCS SS SCS HCS HB 1698, 1236, 995, 1362 & 1290 — Sexual Offenders  
 SCS HB 1707 — Local Officials  
 CCS HCS SCS SB 616 — Assisted Living Facilities  
 CCS HCS SB 1017 — Agricultural Programs  
 SCS SB 1117 — Missouri Rx Plan Advisory Commission  
 SB 1155 — Technical Advisory Committee on the Quality of Patient Care and Nursing Practices  
 SB 1177 — Local Registrars

**HEALTH, PUBLIC**

HB 1245 — School Nurses  
 SCS HB 1437 — Poison and Radiation Control  
 SB 828 — Dental Hygiene Services

**HIGHER EDUCATION DEPARTMENT**

SCS SB 580 — Coordinating Educational and Economic Policy

**HIGHWAY PATROL**

*See also Law Enforcement Officers and Agencies; Water Patrol*  
 HB 1393 — State Highway Patrol  
 CCS SS SCS HCS HB 1698, 1236, 995, 1362 & 1290 — Sexual Offenders  
 HCS SS#2 SCS SB 583 — Vehicle Emissions Inspection Program  
 SB 933 — Railroad Policemen  
 HCS SB 981 — State Highway Patrol

**HIGHWAYS AND ROADS**

HCS HB 1180 — School Transportation  
 SCS HCS HB 1380 — Missouri Public-Private Partnerships Transportation Act  
 HB 1488 — Memorial Highway  
 SCS SB 667, 704, 941, 956 & 987 — Memorial Highways and Bridges  
 HCS SB 840 — Highways and Bridges  
 CCS#2 HCS SCS SB 932 — County Officials  
 SB 990 — Memorial Highways  
 SCS SB 1059 — Memorial Highway  
 SB 1139 — Memorial Highway

**HOLIDAYS AND DAYS OF REMEMBRANCE**

HB 984 — Display of the POW/MIA Flag  
 HCS HB 1256 — State Observance

**HOSPITALS**

HB 1687 — Donation of Prescription Drugs  
 SS SCS HCS HB 1837 — Medical Malpractice Insurance and Enforcement Powers of the Department of Insurance

**INSURANCE DEPARTMENT**

HB 1827 — Group Health Insurance  
 SS SCS HCS HB 1837 — Medical Malpractice Insurance and  
 Enforcement Powers of the Department of Insurance  
 HCS SB 837 — Insurance Board Membership

**INSURANCE - GENERAL**

HCS#2 HB 1703 — Insurance Pooling  
 SS SCS HCS HB 1837 — Medical Malpractice Insurance and  
 Enforcement Powers of the Department of Insurance  
 HCS SB 837 — Insurance Board Membership

**INSURANCE - MEDICAL**

*See also Health Care; Medicaid*  
 HB 1827 — Group Health Insurance  
 HCS SCS SB 567 & 792 — Health Insurance Coverage  
 HCS SB 837 — Insurance Board Membership

**INTERSTATE COOPERATION**

*See also Compacts*  
 CCS HCS SCS SB 756 — Professional Registration  
 HCS SS SCS SB 825 — Kansas and Missouri Regional  
 Investment District Compact

**JACKSON COUNTY**

HB 1688 — Economic Activity Tax Revenues  
 SCS HB 1707 — Local Officials  
 HCS SS SCS SB 825 — Kansas and Missouri Regional  
 Investment District Compact

**KANSAS CITY**

HCS HB 1138 — Police Military Leave  
 SCS SB 830 — Police Military Leave

**LAW ENFORCEMENT OFFICERS AND AGENCIES**

*See also Highway Patrol; Water Patrol*  
 HCS HB 1138 — Police Military Leave  
 HCS HB 1182 — Jurisdiction of Juvenile Courts  
 CCS SS SCS HCS HB 1698, 1236, 995, 1362 & 1290 —  
 Sexual Offenders  
 SB 561 — Excursion Gambling Boat Admission Fee Revenue  
 SCS SB 830 — Police Military Leave  
 SB 871 — Police Retirement System of St. Louis  
 HCS SCS SB 1086 — Police Officer Compensation

**LIABILITY**

*See also Bonds-Surety*  
 HCS HB 1182 — Jurisdiction of Juvenile Courts  
 SCS HCS HB 1380 — Missouri Public-Private Partnerships  
 Transportation Act  
 HCS HB 1559 — Donation of Canned or Perishable Food  
 HCS HB 1617 & 1374 — Recreational Use of Land  
 HCS#2 HB 1703 — Insurance Pooling  
 HB 1732 — Self-administered Medications by Students  
 SS SCS HCS HB 1837 — Medical Malpractice Insurance and  
 Enforcement Powers of the Department of Insurance  
 SB 1020 — Fuel Storage Tanks

**LIBRARIES AND ARCHIVES**

SB 936 — County Library Districts

**LICENSES - DRIVER'S**

*See also Motor Vehicles*  
 CCS HCS SCS SB 1001, 896 & 761 — Drivers' Licenses

**LICENSES - MISCELLANEOUS**

SCS SB 747 — Used Motor Vehicle Dealer Educational  
 Courses

**LICENSES - MOTOR VEHICLE**

*See also Motor Vehicles*  
 SCS HCS HB 1382 & 1158 — Special License Plates  
 SCS HCS HB 1762 — Disabled License Plates and Placards

**LICENSES - PROFESSIONAL**

*See also Health Care Professionals; see also names of  
 individual professions*  
 HCS HB 1339 — Real Estate Brokers  
 HB 1494 — Licensing of Engineers and Land Surveyors  
 HCS HB 1515 — Collaborative Practice Reporting  
 HCS HB 1759 — Athletic Trainers  
 SCS SB 749 — Interior Designers  
 CCS HCS SCS SB 756 — Professional Registration  
 HCS SB 819 — Licensing of Engineers and Land Surveyors  
 SCS SB 934 — Barber Shop Licenses

**LIENS**

HCS SS SCS SB 892 — Financial Institutions and Missouri  
 Uniform Trust Code  
 SB 1057 — Liens of Health Care Professionals

**LOBBYING**

*See also Ethics*  
 CCS SS HCS HB 1900 — Ethics

**MEDICAID**

*See also Public Assistance*  
 HB 1491 — Medical Assistance  
 HCS HB 1552 — Homeless Veterans  
 SB 822 — Health Care Provider Tax  
 SB 828 — Dental Hygiene Services

**MEDICAL PROCEDURES AND PERSONNEL**

*See also Health Care*  
 HCS HB 1515 — Collaborative Practice Reporting  
 SCS HB 1601 — Emergency Medical Treatment  
 HCS SCS SB 567 & 792 — Health Insurance Coverage  
 HCS SCS SB 765 — Emergency Medical Treatment

**MENTAL HEALTH**

SB 648 — Fire Regulations for Mental Health Facilities  
 CCS HCS SCS SB 756 — Professional Registration  
 SB 974 — Mental Health Services

**MENTAL HEALTH DEPARTMENT**

SB 974 — Mental Health Services

**MERCHANDISING PRACTICES**

*See also Business and Commerce*  
 CCS SCS HCS HB 1270 & 1027 — Missouri Renewable  
 Fuel Standard Act

**MILITARY AFFAIRS***See also National Guard; Veterans*

SCS HCS HB 978 — Vietnam War Medallion Program

HB 984 — Display of the POW/MIA Flag

HCS HB 1138 — Police Military Leave

SCS HCS HB 1382 &amp; 1158 — Special License Plates

HB 1427 — Waivers for Dissolved Corporations Due to Military Service

SCS SB 830 — Police Military Leave

SB 845 — Waivers for Dissolved Corporations Due to Military Service

SB 964 — Appointment and Duties of Assistant Adjutants General

SCS SB 1060 — Contribution Designations on State Income Tax Return Forms

**MINORITIES***See also Civil Rights*

HCS HB 1256 — State Observance

SB 1189 — Holocaust Education and Awareness Commission

**MOBILE HOMES AND MANUFACTURED HOUSING**

HCS SS SCS SB 892 — Financial Institutions and Missouri Uniform Trust Code

**MOTOR CARRIERS***See also Buses; Railroads*

SS#2 SCS HCS HB 1456 — Employment Security

CCS SS SCS HCS HB 1944 — Eminent Domain

HCS SS SCS SB 872, 754 &amp; 669 — Safe Operation of Motor Vehicles

CCS HCS SCS SB 1001, 896 &amp; 761 — Drivers' Licenses

**MOTOR FUEL***See also Energy*

CCS SCS HCS HB 1270 &amp; 1027 — Missouri Renewable Fuel Standard Act

SB 1020 — Fuel Storage Tanks

**MOTOR VEHICLES***See also Boats and Watercraft; Licenses-Motor Vehicle; Transportation*

HCS SS#2 SCS SB 583 — Vehicle Emissions Inspection Program

SCS SB 747 — Used Motor Vehicle Dealer Educational Courses

HCS SS SCS SB 872, 754 &amp; 669 — Safe Operation of Motor Vehicles

**NATIONAL GUARD***See also Military Affairs; Veterans*

SCS HCS HB 978 — Vietnam War Medallion Program

SCS HCS HB 1787 — Guard at Home Program

SCS SB 701 &amp; 948 — National Guard Member Educational Assistance Grants

SB 964 — Appointment and Duties of Assistant Adjutants General

**NATURAL RESOURCES DEPARTMENT**

SCS#2 HCS HB 1149 — Regulation of Water

HCS SS#2 SCS SB 583 — Vehicle Emissions Inspection Program

**NEWSPAPERS AND PUBLICATIONS**

CCS#2 HCS SS#2 SCS SB 1014 &amp; 730 — Elections

**NURSES**

HB 1234 — Nursing Student Loan Repayment Program

HB 1245 — School Nurses

SCS HCS HB 1762 — Disabled License Plates and Placards

SS SCS HCS HB 1837 — Medical Malpractice Insurance and Enforcement Powers of the Department of Insurance

HCS SB 980 — Nursing and Teaching Scholarships

SB 1155 — Technical Advisory Committee on the Quality of Patient Care and Nursing Practices

**NURSING AND BOARDING HOMES**

CCS HCS SCS SB 616 — Assisted Living Facilities

**PARKS AND RECREATION***See also Entertainment, Sports and Amusements*

HCS HB 1617 &amp; 1374 — Recreational Use of Land

**PHARMACY AND PHARMACISTS**

HB 1245 — School Nurses

HB 1687 — Donation of Prescription Drugs

HB 1732 — Self-administered Medications by Students

HCS SCS SB 567 &amp; 792 — Health Insurance Coverage

SB 822 — Health Care Provider Tax

SCS SB 1117 — Missouri Rx Plan Advisory Commission

**PHYSICAL THERAPISTS**

SB 1057 — Liens of Health Care Professionals

**PHYSICIANS**

HCS HB 1515 — Collaborative Practice Reporting

SS SCS HCS HB 1837 — Medical Malpractice Insurance and Enforcement Powers of the Department of Insurance

CCS HCS SCS SB 756 — Professional Registration

**PLANNING AND ZONING**

HCS SB 809 — Municipal Zoning

**POLITICAL PARTIES**

CCS SS HCS HB 1900 — Ethics

**POLITICAL SUBDIVISIONS***See also Cities, Towns and Villages; Counties*

HCS#2 HB 1703 — Insurance Pooling

SCS HB 1707 — Local Officials

CCS SS HCS HB 1900 — Ethics

SCS SB 802 — Sewer Districts

HCS SS SCS SB 825 — Kansas and Missouri Regional Investment District Compact

HCS SB 893 — Fire Protection District Taxes

CCS HCS SS SCS SB 894 — Education

SB 931 — Transportation Development Districts

CCS#2 HCS SCS SB 932 — County Officials

SB 936 — County Library Districts

SB 1056 — Community Improvement Districts Sales Tax  
 SB 1094 — Special Business Districts in Springfield  
 SB 1177 — Local Registrars  
 SB 1207 — County Sales Tax Revenue

#### **PRISONS AND JAILS**

*See also Corrections Department*  
 HB 1204 — Duties of Jailers  
 CCS SS SCS HCS HB 1698, 1236, 995, 1362 & 1290 —  
 Sexual Offenders  
 SB 785 — Duties of Jailers  
 HCS SB 1023 — DNA Profiling Analysis

#### **PROBATION AND PAROLE**

CCS SS SCS HCS HB 1698, 1236, 995, 1362 & 1290 —  
 Sexual Offenders

#### **PROPERTY, REAL AND PERSONAL**

*See also Conveyances and Easements; Taxation and  
 Revenue-Property*  
 HCS HB 1339 — Real Estate Brokers  
 HCS HB 1617 & 1374 — Recreational Use of Land  
 CCS SS SCS HCS HB 1944 — Eminent Domain  
 SCS SB 751 — Public School Property  
 CCS#2 HCS SCS SB 932 — County Officials  
 HCS SB 1045 — Adverse Possession

#### **PUBLIC ASSISTANCE**

*See also Medicaid*  
 HCS HB 1552 — Homeless Veterans

#### **PUBLIC BUILDINGS**

SS SCS SB 718 — Issuance of State Loans

#### **PUBLIC OFFICERS**

SCS HCS HB 977 — Election of Municipal Officers  
 SCS HB 1707 — Local Officials  
 HJR 55 — Compensation and Discipline of Public Officials  
 SB 1177 — Local Registrars

#### **PUBLIC RECORDS, PUBLIC MEETINGS**

HCS HB 1053 — Arrest Records  
 SCS HCS HB 1380 — Missouri Public-Private Partnerships  
 Transportation Act  
 SCS HCS HB 1449 — Background Checks for Teachers  
 CCS#2 HCS SCS SB 932 — County Officials

#### **PUBLIC SAFETY DEPARTMENT**

SCS HB 1509 — Division of Fire Safety  
 SB 778 — Watercraft Registration Fees  
 SB 933 — Railroad Policemen

#### **PUBLIC SERVICE COMMISSION**

SCS#2 HCS HB 1149 — Regulation of Water  
 SB 558 — Experimental Tariffs of Gas Corporations  
 SS SB 1066 — Telecommunications Companies

#### **RAILROADS**

*See also Motor Carriers; Transportation*  
 CCS SS SCS HCS HB 1944 — Eminent Domain  
 SB 933 — Railroad Policemen

#### **RELIGION**

HCS HB 1552 — Homeless Veterans  
 CCS#2 HCS SS#2 SCS SB 1014 & 730 — Elections  
 SB 1189 — Holocaust Education and Awareness Commission

#### **RETIREMENT - LOCAL GOVERNMENT**

HCS HB 1138 — Police Military Leave  
 HCS HB 1344 — Firemen's Retirement System of St. Louis  
 SCS SB 830 — Police Military Leave  
 SB 871 — Police Retirement System of St. Louis

#### **RETIREMENT SYSTEMS AND BENEFITS - GENERAL**

HJR 55 — Compensation and Discipline of Public Officials

#### **REVENUE DEPARTMENT**

SCS HCS HB 1485 — Tax Credit for Pregnancy Resource  
 Centers and Children in Crisis  
 HCS SS#2 SCS SB 583 — Vehicle Emissions Inspection  
 Program  
 SB 678 — Quarterly Tax Collection Reports for Temporary  
 Taxes  
 SCS SB 747 — Used Motor Vehicle Dealer Educational  
 Courses  
 CCS#2 HCS SS#2 SCS SB 1014 & 730 — Elections

#### **SAINT LOUIS**

SCS#2 HCS HB 1149 — Regulation of Water  
 HCS HB 1344 — Firemen's Retirement System of St. Louis  
 HCS SS#2 SCS SB 583 — Vehicle Emissions Inspection  
 Program  
 SB 871 — Police Retirement System of St. Louis  
 CCS HCS SS SCS SB 894 — Education; Absences in St.  
 Louis City Schools  
 HCS SCS SB 1086 — Police Officer Compensation

#### **SAINT LOUIS COUNTY**

HCS SS#2 SCS SB 583 — Vehicle Emissions Inspection  
 Program  
 HCS SB 893 — Fire Protection District Taxes

#### **SALARIES**

HJR 55 — Compensation and Discipline of Public Officials  
 CCS#2 HCS SCS SB 932 — County Officials  
 HCS SCS SB 1086 — Police Officer Compensation

#### **SCIENCE AND TECHNOLOGY**

CCS SS SCS HCS HB 1698, 1236, 995, 1362 & 1290 —  
 Sexual Offenders  
 SS SCS SB 912 — Virtual Public School  
 SCS SB 1008 — Governor's Advisory Council on Agricultural  
 Science and Technology

#### **SEARCH AND SEIZURE**

*See also Criminal Procedure; Evidence*  
 CCS SS SCS HCS HB 1698, 1236, 995, 1362 & 1290 —  
 Sexual Offenders

**SECRETARY OF STATE**

HB 1427 — Waivers for Dissolved Corporations Due to Military Service  
 SB 845 — Waivers for Dissolved Corporations Due to Military Service  
 CCS#2 HCS SS#2 SCS SB 1014 & 730 — Elections

**SEWERS AND SEWER DISTRICTS**

SCS#2 HCS HB 1149 — Regulation of Water  
 SCS SB 802 — Sewer Districts

**SOCIAL SERVICES DEPARTMENT**

SCS HCS HB 1485 — Tax Credit for Pregnancy Resource Centers and Children in Crisis  
 HB 1491 — Medical Assistance  
 HCS SCS SB 614 — Residential Treatment Agency Tax Credit Act  
 CCS HCS SCS SB 616 — Assisted Living Facilities  
 CCS HCS SS SCS SB 894 — Education; Absences in St. Louis City Schools  
 SCS SB 1084 — Health Care for Uninsured Children  
 SCS SB 1117 — Missouri Rx Plan Advisory Commission  
 HCS SS SCS SB 1229 — Tax Credit for Children in Crisis

**SURVEYORS**

HB 1494 — Licensing of Engineers and Land Surveyors  
 HCS SB 819 — Licensing of Engineers and Land Surveyors

**TAXATION AND REVENUE - GENERAL**

SB 822 — Health Care Provider Tax  
 SJR 26 — Taxation of Veterans' Service Organizations

**TAXATION AND REVENUE - INCOME**

SCS HCS HB 1440 — Income Tax  
 SCS HCS HB 1485 — Tax Credit for Pregnancy Resource Centers and Children in Crisis  
 CCS SS HCS HB 1900 — Ethics  
 HCS SCS SB 614 — Residential Treatment Agency Tax Credit Act  
 HCS SS SCS SB 892 — Financial Institutions and Missouri Uniform Trust Code  
 CCS HCS SB 1017 — Agricultural Programs  
 SCS SB 1060 — Contribution Designations on State Income Tax Return Forms  
 HCS SS SCS SB 1229 — Tax Credit for Children in Crisis

**TAXATION AND REVENUE - PROPERTY**

*See also Property, Real and Personal*  
 CCS SS HCS HB 1900 — Ethics  
 SCS SB 630 — Homestead Preservation Act  
 SB 778 — Watercraft Registration Fees  
 CCS#2 HCS SCS SB 932 — County Officials  
 SB 1016 — County Tax Rate Deadline

**TAXATION AND REVENUE - SALES AND USE**

HB 1688 — Economic Activity Tax Revenues  
 SB 678 — Quarterly Tax Collection Reports for Temporary Taxes  
 HCS SS SCS SB 825 — Kansas and Missouri Regional Investment District Compact  
 HCS SB 893 — Fire Protection District Taxes

SB 1056 — Community Improvement Districts Sales Tax  
 SB 1207 — County Sales Tax Revenue

**TEACHERS**

*See also Education, Elementary and Secondary*  
 SCS HCS HB 1449 — Background Checks for Teachers  
 HCS SB 980 — Nursing and Teaching Scholarships

**TELECOMMUNICATIONS**

CCS SS SCS HCS HB 1698, 1236, 995, 1362 & 1290 — Sexual Offenders  
 CCS SS HCS HB 1900 — Ethics  
 SS SCS SB 912 — Virtual Public School  
 SS SB 1066 — Telecommunications Companies

**TELEVISION**

SCS SB 870 — Transfer of Appropriation Payments  
 CCS#2 HCS SS#2 SCS SB 1014 & 730 — Elections

**TOBACCO PRODUCTS**

HCS SCS SB 567 & 792 — Health Insurance Coverage

**TOURISM**

CCS SS SCS HCS HB 1698, 1236, 995, 1362 & 1290 — Sexual Offenders; Crime of Promoting Travel for Prostitution

**TRANSPORTATION**

*See also Buses; Motor Vehicles; Railroads*  
 SCS HCS HB 1380 — Missouri Public-Private Partnerships Transportation Act  
 HCS SS SCS SB 825 — Kansas and Missouri Regional Investment District Compact  
 SB 931 — Transportation Development Districts

**TRANSPORTATION DEPARTMENT**

SCS#2 HCS HB 1149 — Regulation of Water  
 SS#2 SCS HCS HB 1456 — Employment Security

**UNEMPLOYMENT COMPENSATION**

SS#2 SCS HCS HB 1456 — Employment Security

**UNIFORM LAWS**

HCS SS SCS SB 892 — Financial Institutions and Missouri Uniform Trust Code

**UTILITIES**

*See also Energy*  
 CCS SS SCS HCS HB 1944 — Eminent Domain  
 SB 558 — Experimental Tariffs of Gas Corporations  
 SB 559 — Joint Municipal Utility Commissions  
 HCS SB 1045 — Adverse Possession

**VETERANS**

*See also Military Affairs; National Guard*  
 SCS HCS HB 978 — Vietnam War Medallion Program  
 HB 984 — Display of the POW/MIA Flag  
 HCS HB 1138 — Police Military Leave  
 SCS HCS HB 1382 & 1158 — Special License Plates  
 SS#2 SCS HCS HB 1456 — Employment Security  
 HB 1491 — Medical Assistance  
 HCS HB 1552 — Homeless Veterans  
 SCS HCS HB 1762 — Disabled License Plates and Placards

SCS HCS HB 1787 — Guard at Home Program  
SCS SB 830 — Police Military Leave  
SCS SB 1026 — Veterans' Programs  
SJR 26 — Taxation of Veterans' Service Organizations

**VETERINARIANS**

CCS HCS SCS SB 756 — Professional Registration

**VICTIMS OF CRIME**

*See also Crimes and Punishment; Criminal Procedure*  
HCS HB 1053 — Arrest Records  
CCS SS SCS HCS HB 1698, 1236, 995, 1362 & 1290 —  
Sexual Offenders

**VITAL STATISTICS**

SCS HB 1707 — Local Officials  
SB 1177 — Local Registrars

**WATER PATROL**

*See also Highway Patrol; Law Enforcement Officers and  
Agencies*  
SB 778 — Watercraft Registration Fees

**WATER RESOURCES AND WATER DISTRICTS**

*See also Drainage and Levee Districts*  
SCS#2 HCS HB 1149 — Regulation of Water  
HCS SB 1165 — Water Pollution Control Fees

**WEAPONS**

SB 919 — Concealed Weapons and Vagrant Labor

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